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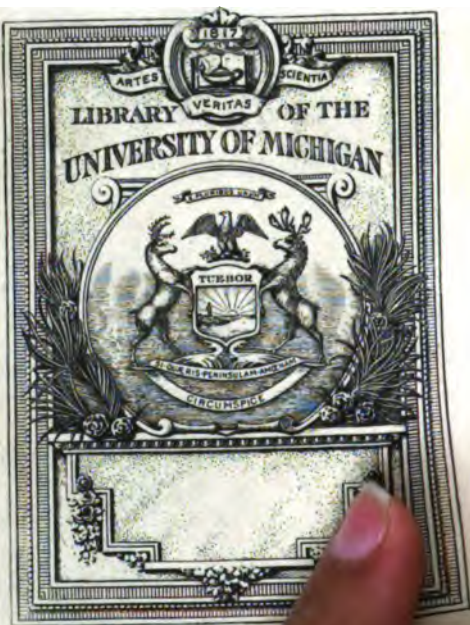
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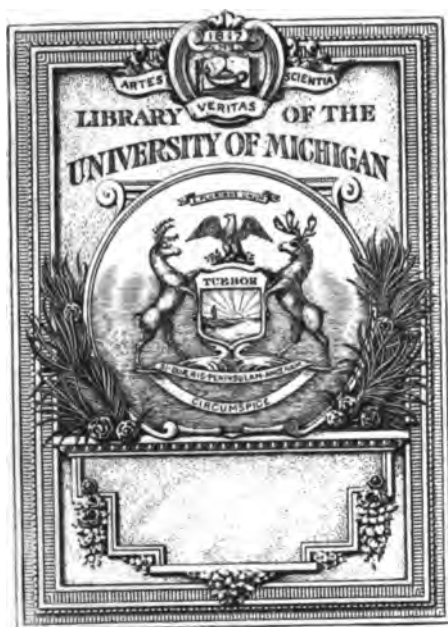
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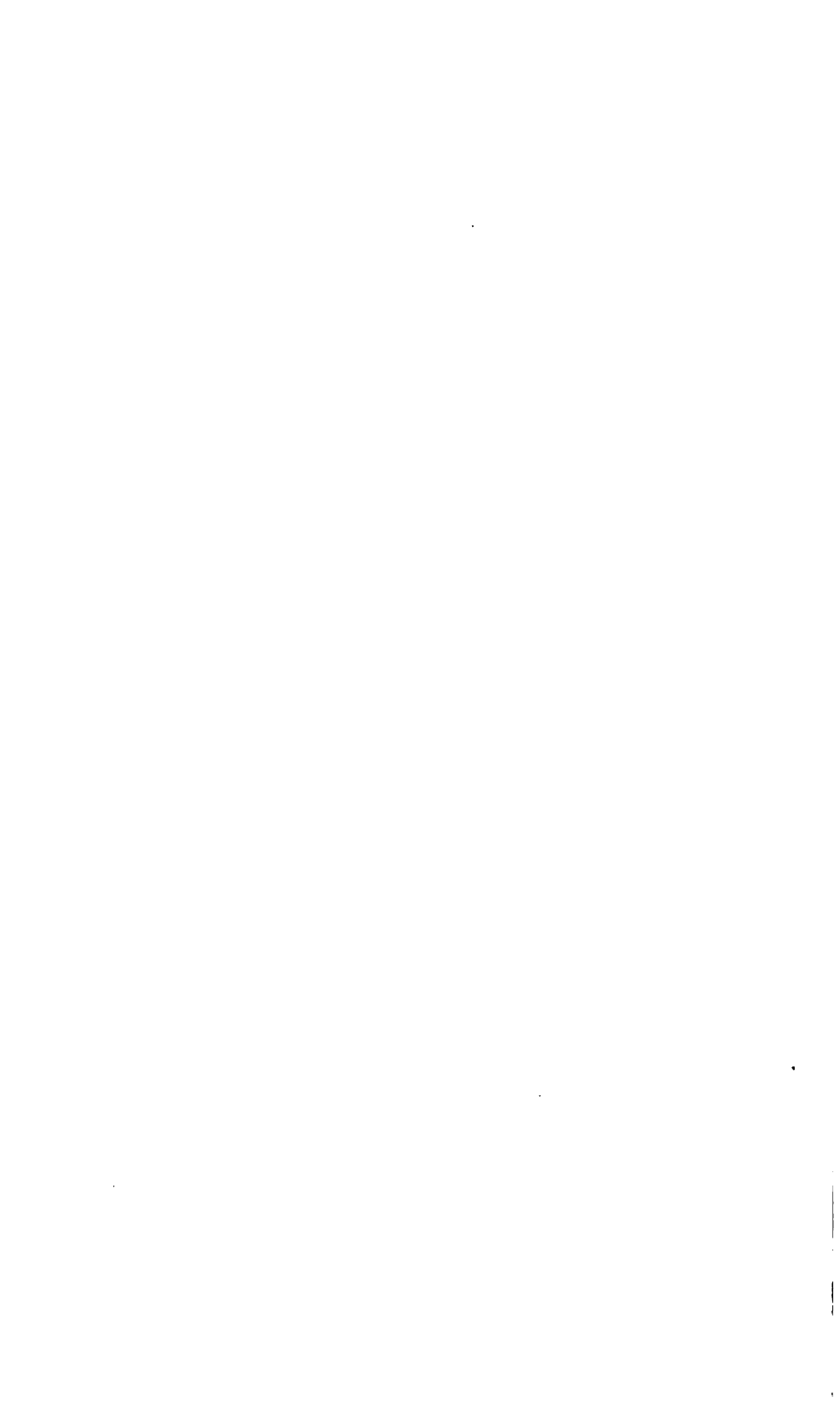


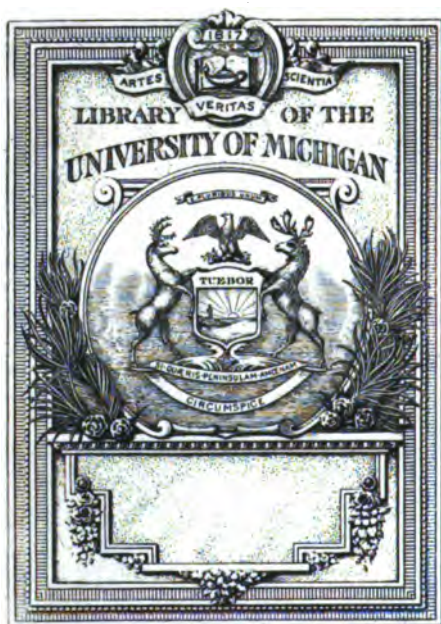
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THE
HISTORY
OF
ENGLAND,
FROM THE
ACCESSION TO THE DECEASE
OF
KING GEORGE THE THIRD.



BY JOHN ADOLPHUS, ESQ.

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PREFACE

TO

THE FIRST EDITION.

WHEN I undertook the Work which is now submitted to the Public, I did not overlook the difficulties of the execution, nor over-rate my own powers.

I fully appreciated the delicacy of detailing the annals of a living Sovereign, and of descanting on the conduct and motives of men who yet survive, or who have been recently removed from the busy scene. I was aware that bitter calumny or fulsome adulation had disfigured most of their characters; and that the real image of persons, as well as the true colour of events, could with difficulty be discerned through the noxious mist or splendid vapour. I knew that other writers had executed the same task, and had even extended their labours to a nearer and consequently more interesting period than that which it was my intention for the present to occupy; and, as my manner of estimating characters and considering events differed materially from theirs, I did not disguise from myself the reasons for apprehending that my Work would be exposed to some disadvantages from the effects of prepossession.

History has been termed, by a just and well-known definition, Philosophy, instructing by examples; but the nature of the doctrine will always be considerably influenced by the temper, views, and prejudices of the historian: and that writer must be highly culpable, who, before he undertakes the task of directing the opinions of mankind on the most

important subjects, omits examining with diligence and candour the feelings, limits, and bias of his own mind, estimating his means of information, and earnestly seeking to discover, with a view of mitigating, their effects, the predilections, antipathies, hopes, and fears by which he is actuated. If these are suffered to operate in discolouring the narrative, which ought to be given with the utmost candour, the Author is guilty of a fraud in announcing his work as a *History*; it is, at the utmost, but an Historical Essay, in which the writer, assuming the part of a disputant, bends facts, characters, and circumstances to his own views; falsifies, suppresses, or perverts them, to suit his purposes; and, instead of informing, seeks only to persuade, seduce, or corrupt the reader.

Works written in this manner, and published under the denomination of History, are filled with redundant and indiscriminate praise of some individuals; while others are loaded with malevolent and unsparing abuse. To justify these extremes, Authors imagine for the personages of their narratives, a consistent uniformity of intention and conduct, which truth never has been able to pourtray, nor a careful inspector of human life to discern. That men should be stedfastly patriotic, and, in their pursuit of the public good, always temperate, just, and self-denying, is very desirable; but the historian feels, with regret, the necessity of recording the aberrations of the most elevated minds; and that work must be a romance, not a history, which fails to shew that individuals, whose general views have been directed to the benefit of their country, have been, in occasional acts, rash, vain, factious, arbitrary, or absurd. Such are the materials presented by the course of events, that a party writer, taking the bright or the clouded parts of characters, receiving with avidity the vehement assertions of panegyrists or detractors, and suppressing the facts or observations on the other side, may, for the moment, make almost any impression without foregoing the appearance of candour;

but truth will, in time, forcibly appeal against such misrepresentations; and the gloss of exaggerated applause, and the blots of unmerited censure being removed, her interesting features will be contemplated with a regard heightened in consequence of the temporary concealment.

It may be doubted whether the period is yet arrived when the conspicuous persons of the present reign can be so impartially reviewed. The heat of party contest has rendered the public so familiar with calumnious declamation, that the historian incurs some risk in venturing to dismiss from his vocabulary certain abusive phrases, or in presuming to doubt of certain supposed political facts so gravely advanced, and so forcibly urged by the wise and the eloquent. He exposes himself to a still greater hazard in attempting to rescue from long accredited imputations, characters, whom the enmity of faction and the greedy credulity of the public have consecrated to obloquy; and in venturing to shew, that in many instances unblushing calumny has been mistaken for sober truth, faction for patriotism, and selfishness for public spirit.

Such has often been the nature of my task; in the execution of which, it has been my endeavour to avoid a too common error; I have not, in order to illustrate the principles and conduct of one man whom I thought injured, retaliated on his opponents. I have been slow in imputing to individuals those base designs against either Liberty or Government, which have been so profusely assigned to them. I have generally found in the state of party connexions, and the legitimate objects of honourable ambition, sufficient means of accounting for the actions of men either possessed of or struggling for power, without feigning, as a cause of their conduct, an excess of mental depravity or political turpitude, which is characteristic neither of the nation, nor the times on which I have treated.

I will not affect to conceal, that a regard for the

constitution of my country, both in Church and State, ever present to my mind, has diffused itself through my Work. I have treated that constitution not as a project, but as an establishment, entitled to veneration from every observer, and to support from all those whom birth or accident has made partakers of its blessings. I have not therefore lent my approbation to crude reforms, or to the conduct of individuals, who, for purposes of ambition, have endeavoured to unsettle that which was fixed, and more than once succeeded in exciting the public mind to a dangerous ferment of disaffection. But in that attachment to the constitution, I have not, I trust, betrayed an indecent violence against those whom I considered its assailants; I have endeavoured to assign to them and to their opponents, indeed to every man, whether exalted or obscure, illustrious from merit, or degraded by crime, his real motives and true course of conduct.

I have never been able, nor has the course of my reading given me the inclination, to coincide with those authors or orators who are pleased to inveigh, with almost indiscriminate severity, against the foreign and domestic government of Great Britain. These highly seasoned invectives may be gratifying to some readers; and to them the more plain, tranquil narrative of undisguised fact may seem insipid: but reputation derived from such sources has never been the object of my desire; I confine myself, with strict forbearance, to the paths where I expect to find certain truth, and do not, in order to be thought courageous, attack where I am sure not to be encountered, nor calumniate those who by station, circumstances, time, or death, are rendered undesirous or incapable of resentment. Far from envying the applauses obtained by those disciples of Thersites, who claim the merit of wit and courage by rancorous abuse on the sovereign, government, and constitution of the country, I can without hesitation declare my opinion, that, in the period on which I have written, the throne has been filled by a monarch who has sought the love of his

subjects through the means of public spirit and private virtue ; and who has tempered a noble desire to preserve from degradation the authority he inherits, with a firm and just regard to the constitution and liberties which conducted him to the throne, and which will ever form its best supports. Far from thinking that the aims of successive administrations have been directed to overthrow the liberties and constitution of the country, I am persuaded that liberty has been better understood, and more effectually and practically promoted during this period, than in any which preceded ; and that the affairs of government have been always honestly, though sometimes imprudently, and in the conspicuous instance of the American war, unsuccessfully, administered.

But whatever credit may be given, or whatever censure directed, to the motives or intention of an historian, the information he imparts will contribute more than any other cause to the permanent establishment of his character. Opinions vary, fade, are forgotten ; applause and blame are transferred from public characters, according to the mutability of general opinion ; but the narrative of fact will ever claim attention ; and the historian, who has bestowed the greatest portion of diligence and judgment on this part of his subject, will be most permanently esteemed. In the honest hope of this approbation, I have exerted every faculty of my mind ; adverted to every attainable source of intelligence within my knowledge, and omitted no labour of inquiry or comparison, to furnish a performance satisfactory to the reader and creditable to myself.

For the general mass and outlines of events, I have explored with diligence the diurnal, monthly, and annual stores of information ; repositories in which, if there is much to reject and condemn, there are also copious, useful, and certain details, important records of sentiments, transactions, and publications, and a large stock of indispensable information, though not in itself sufficient to form the materials of history.

In aid of these, I have referred to an ample collection of pamphlets, narratives, historical and political tracts, which the freedom of the press has copiously afforded in gratification of the public curiosity.

In testimony of the authenticity of my narrative, I have been scrupulously exact in citing my authorities, generally at the page, but at least at the chapter or section of the works referred to. In this I consulted my own reputation, not for extensive reading, but for veracity of narration; for, had an ostentation of labour been my object, I could easily have swelled into tediousness the catalogue of works I have been obliged to peruse, without deriving from them any fact sufficiently important for commemoration.

The principal exceptions to the rule of precise citations are the common facts which are well known and undisputed: and which are preserved in all the periodical compilations.

An apology may perhaps appear necessary for the length at which some of the parliamentary debates are recited; but those who consider the great efforts employed in the senate, during the whole of this reign, and the effects of parliamentary eloquence in guiding the public mind, will not think the narrative of these discussions too minute. No part of my task has been more laborious, more difficult, or delicate, than that of selecting the most forcible reasons urged on each side, and impartially giving to both their utmost interests. In performing this part of my undertaking, I have found much previous misrepresentation to correct; many arguments, given as unanswered, ably refuted; many assertions and speculations attributed to particular speakers, unrecorded, uttered by others, or accompanied by qualifying additions, which totally varied the sense from that which is impressed on the public. In general, I have preferred the historical mode; recapitulating the chief arguments on each side in a mass; but from this practice, the reader will find occasional deviations; first, where any member has, from peculiar circumstances, or a celebrated dis-

play of eloquence, rendered himself eminently conspicuous; secondly, where the nature of the question has been such as to render the sentiments of each speaker, and his mode of enforcing them, worthy of specific notice. The debates on those measures against the town of Boston, which occasioned the American war, are the most prominent examples of the latter mode of detail. For these discussions, I have been obliged to rely on the collection of debates published by Almon and Debrett; a work which is in many instances tinged with party prejudice, and, in some, disfigured by negligence, but which is nevertheless the only permanent and regular record of those interesting exertions which have given a character to the foreign and domestic acts of the nation, and which the historian is indispensably obliged to relate. The votes, journals, and reports of parliament, have formed a valuable addition, and frequently furnished the means of correcting the mistakes of the Parliamentary Register.

In narrating the progress of the American war, I have relied in great part on Stedman's history of that contest; though not so implicitly as to omit consulting other printed authorities, which the reader will see referred to in every chapter. But I have been enabled to obtain documents on this subject which were never before thrown open to the historian, and private information from persons of the first talent and character, who possessed the most ample means of imparting intelligence.

Many hitherto unnoticed narratives of transactions in Ireland are preserved in periodical compilations; of these I have diligently availed myself, but have derived much more important information from valuable unpublished documents with which I have been favoured.

On the affairs of India, I have diligently consulted and placed my chief reliance on the reports published by parliament. The events of Mr. Hastings's government are omitted in the present Work, as I considered

their more natural and proper situation to be in the interval between the peace of 1783, and the period when new regulations were adopted for the government of the Asiatic territories. These transactions will engage my early attention, when I proceed in continuation of my present Work.

I have on many occasions referred to private information, and epistolary documents. On this head I am peculiarly obliged to Henry Penruddock Wyndham, Esquire, Member of Parliament for the county of Wilts, for his liberal communication of the Melcombe Papers, which afforded much new and interesting information on the character and conduct of Lord Bute, and from which I have been enabled to insert some valuable letters in the Appendix. I am also proud to express my grateful acknowledgments to the Reverend William Coxe, for giving me unlimited access to his valuable and extensive collection of state papers and historical documents. Nothing could be more gratifying to my ambition, or more honourable to my character, than a distinct recapitulation of the other persons to whom I am obliged on these subjects; but their delicacy forbids the public homage of gratitude, and I should shew myself unworthy of confidence, if I suffered hints or descriptions to escape me which would lead from conjecture to certainty, and indirectly baffle the wishes of those who in this instance have a right to command. I have, however, in a short appendix to each volume, given a few papers extracted from the principal correspondence to which I have had recourse, not as containing the whole body of that evidence in support of the facts advanced, but as a test of my veracity, and as an object of reference, through which, by consulting with living witnesses, the reality of my authorities, and my fidelity in reciting them, may be fully established.

The length of this preface will shew, that which I have no desire to conceal, my solicitude for the favourable reception of this Work. I do not court the aid of party to rescue it from censure; for it is so

composed, that I know not to what party I should apply; but I depend with confidence, though not without anxiety, on the candid judgment of all parties; resting my principal hope on a consciousness of my own good intentions, and on a recollection of the pains I have taken to procure accurate and copious information, and to relate with proper temper the progress of political contests, unprecedented both in their nature and effects,



ADDITIONAL PREFACE.

WITH feelings of anxiety, not less than those which I experienced when first I presented these volumes to the public, I now again send them into the world. The favourable opinion which I then sought for, and obtained, I still hope to preserve, conscious that I have neglected nothing which care and industry could achieve to render my work more perfect than it was at first. Since my last edition was published, I have been enabled to add considerably to my narrative, by means which I shall shortly notice.

To begin with the debates in Parliament. The collections of Almon and Debrett, on which I formerly relied, have been methodized and amplified in the publication entitled "The Parliamentary History of England;" the Editor of which has explored many sources of information not before known or resorted to, and detailed their contents with accuracy and fidelity. The same writer has also furnished a large stock of information, by his edition of the *Memoirs and Correspondence of the Earl of Chatham*; a work, in the collecting, arranging, and illustrating of which with copious references, judgment, correctness, and good taste, are equally conspicuous. From numerous other biographical and epistolary compilations I have derived much knowledge. To enumerate them all would be tedious; but, as a specimen, I may mention the names of Mr. Flood, Lord Charlemont, Lord Bar-

ington, Mr. Grattan, Lord Dover, Lord Orford, Dr. Tomline, Bishop of Winchester, Barrow's Lives of Lord Macartney, Lord Anson, and Lord Howe, Sir John Malcolm's Life of Lord Clive, and the biographers of Mr. Burke.

On the origin and progress of the contest with America, I have obtained much new and interesting information from recent publications, particularly the Memoirs and Correspondence of Dr. Franklin and Mr. Jefferson, the Memoirs of General Washington by Judge Marshall, and the Lives of the same distinguished individual, and of Gouverneur Morris, by Jared Sparks; and to these a great number of other works may be added.

By increasing considerably the bulk of these volumes, I have been enabled, not only to introduce much additional matter in the narrative, but also to complete the history of the period comprised in them, by relating the events in India up to the determination of Mr. Hastings's government. On this subject, the authorities furnished by the Reports of the Committees of the House of Commons are most abundant; and several writers on that and the immediately preceding period are referred to.

A portion of that which, at the time of my first publication, I considered as private information, has now been laid open to general view, in the collection of Manuscripts in the British Museum. To that truly valuable repository I have diligently referred, and, from the portion termed the Mitchell Papers, have derived many correct, and, I believe, hitherto undisclosed particulars of transactions, both domestic and foreign. Beside the Mitchell Papers, there is a large mass of miscellaneous information, and, particularly, in the portion called King George the Third's Collection, a series of letters written by Dr. Franklin and other persons, which throw much light on the beginning of the American contest.

By the kindness of Lord John Russell, I have been allowed access to the State Paper Office, and per-

mitted to avail myself of inestimable documents, comprising the letters of our ambassadors and ministers to all the Courts of Europe. This permission extends only to the correspondence during a limited period; but restricted, as most properly it is, I feel sincere gratitude for the liberal and ready manner in which it was conferred on me; and it is rendered additionally valuable by the kindness and attention which, under the management of the Right Honourable Henry Hobhouse, have facilitated my researches.

I have reprinted the Preface which I published thirty-eight years ago, because, in that long period, and amidst the astonishing events which it has produced, I have found no reason to desert any principle which I then professed, or to depart from any opinion I then advanced.

I do not deny that I have written under the influence of strong and decided opinions on men and measures; tame and insipid must be the production of the historian who does not; but the character I claim for myself is that of never having purposely imparted a false, or led to a mistaken, judgment. In viewing the characters and conduct of men, I have endeavoured to place myself in their day, and in their society, and to estimate their acts according to the means of knowledge they possessed, and the influence produced on their minds by association or opposition; and, in treating on the stupendous events which form the subject of my narrative, my constant endeavour has been to collect facts with care and diligence; to draw inferences with reserve and moderation; to guard my mind against every impulse of passion or partiality; and, relying only on copiousness of information and clearness of narrative, to leave the reader to form his own judgment, without attempting either to dictate, or to court his applause or his condemnation of any person, or any course of proceeding.

I have long enjoyed the satisfaction of knowing that the revered Sovereign whose reign formed the subject of my narrative, regarded my labours with

avowed approbation : and I now experience with the highest gratification the effect of that favourable opinion, in the spontaneous and gracious patronage of all the Members of his Family ; of every one of his royal offspring, and of the illustrious Successor to his throne.

I may add, with a justifiable pride, that the public has shewn its approbation by the purchase of four large editions ; the critics most opposed to me in political and religious opinions have acknowledged that I have stated the facts in which they felt most interested, with candour and temper : my work has been reprinted in America, and a translation of it into the French language has been executed by, or at least under the inspection of, one of the distinguished members of the Institute.

These observations apply exclusively to the volumes which have already appeared. In the continuation, I shall probably introduce particular periods with a short preface ; and I permit myself to hope that in that portion of my laborious and arduous undertaking, I shall not be found to have abated the industry and care I have already employed, or to have deviated from the line which I had successfully pursued.

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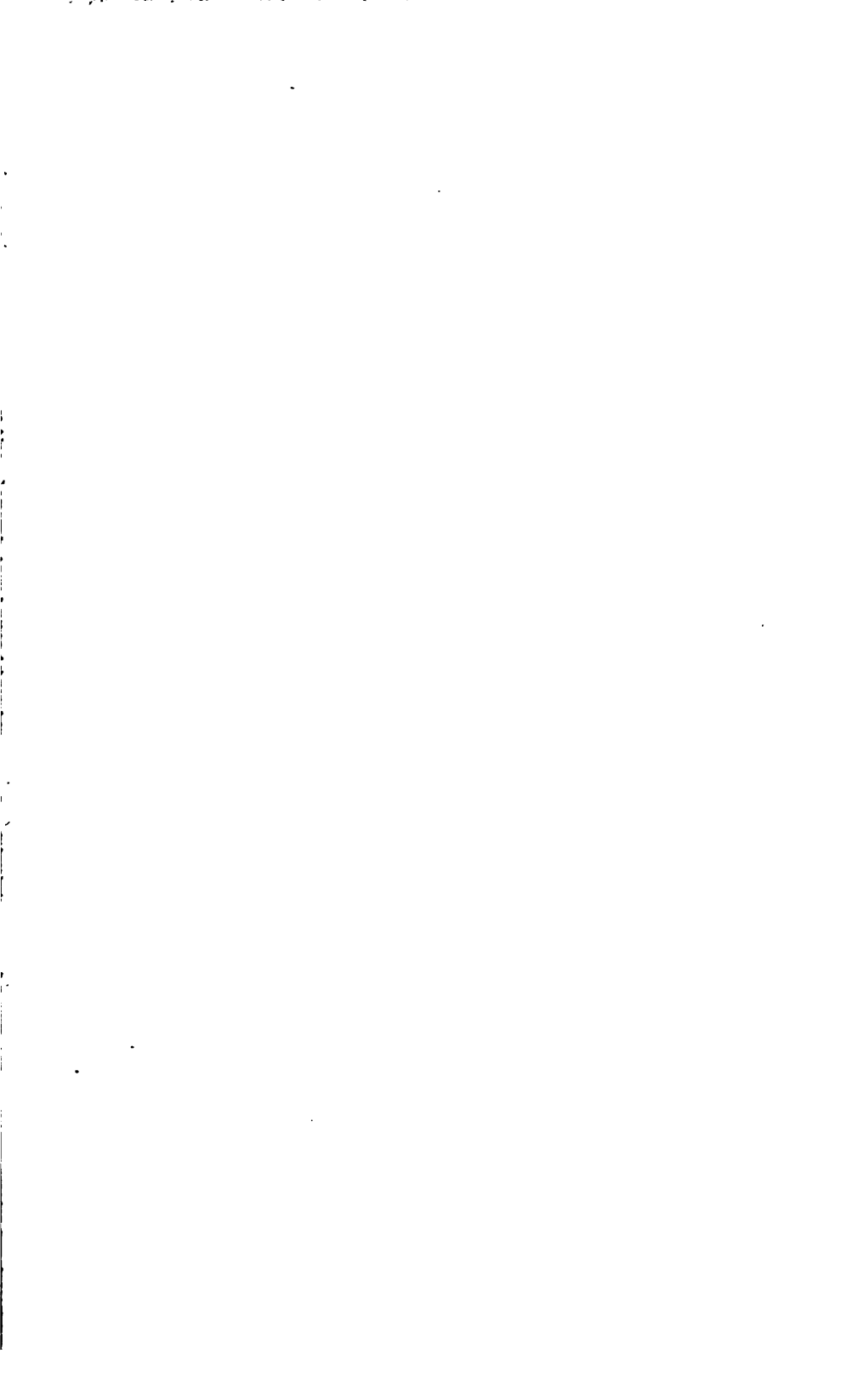
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THE
HISTORY OF ENGLAND.

GEORGE THE THIRD.

CHAPTER THE FIRST.

1760—1761.

The King's accession.—Retrospect of his education and connexions.—Brief account of the principal persons composing the ministry.—First transactions on the death of George II.—The King's address to the council.—The Duke of York and Lord Bute privy counsellors.—The King's friendship for Lord Bute.—Character of that nobleman.—New system of government planned.—Popularity of the King.—Meeting of parliament.—The King's Speech.—Addresses.—Civil List.—Supplies.—Commissions of the Judges made permanent, and their salaries increased.—Speaker Onslow retires with a pension and honours.—Favourable opinions formed of the King.—His desire of peace.—Causes of the popularity of the war.—Arguments against it.—The King's patriotic disinterestedness.—Mr. Pitt zealous in prosecuting the war.—Changes in the ministry.—Tumultuous disposition of the populace.—Lord Bute secretary of state.

GEORGE the Second was succeeded by his grandson, the son of Frederick Prince of Wales, and of Augusta Princess of Saxe Gotha, who had recently completed his twenty-second year.

1760.

The King's
accession,
Oct. 25th.

CHAP.
I.

Retrospect of
his education
and connexions.

Since the death of his father (20th March, 1750), the Heir Apparent had resided entirely with the Princess Dowager, who attended to his education with maternal solicitude. The party, which, during the life of Prince Frederick, had been considered as devoted to his interest, was, since his death, entirely dissolved. The Princess herself did not encourage any opposition to government; and the individuals, whom hope or affection attached to the late Prince, had retired from the field of politics, or formed new connexions.

Yet the education of a Prince, who was in time to govern a mighty kingdom, was not regarded with indifference by those whose interests might be affected by the ascendancy of rivals, or who feared that, if the Princess herself retained the influence which might be naturally expected, new arrangements would be made, unfavourable to their views and adverse to their opinions.

Unfortunately, George II. entertained a constant jealousy and suspicion of the Princess, which, long cherished, had grown into dislike, and made those who were desirous of his favour, carefully avoid all apparent intercourse with his daughter-in-law; consequently, the young Prince was wholly unacquainted with the sentiments and manners of those who formed his grandfather's court. This neglect extended even to the royal family; and the Duke of Cumberland and Princess Amelia shewed no marks of attention and respect to the Heir Apparent and his mother*.

Encouraged by these circumstances, and actuated by views of ambition, Lord Harcourt, who had been appointed governor to the young Prince, and Dr. Hayter, Bishop of Norwich, who filled the post of preceptor, not only exerted their influence to detach his affections from all who had enjoyed the favour of his deceased parent, but also, by their example and discourse, imparted sentiments of disrespect toward the Princess Dowager; for which, at a subsequent period, the Prince acknowledged his error with honest

* Lord Melcombe's Diary, p. 175, 217, et passim.

contrition, and suitable apologies*. In consequence of these efforts, divisions arose among those to whom the instruction of the Heir Apparent was confided, and a representation was made to the King, that Mr. Stone, sub-governor of His Royal Highness, was an improper person to be intrusted with his education; he was stated to be a Jacobite, and accused of having, in company with Dr. Johnson, Bishop of Gloucester, and Mr. Murray, the solicitor-general, afterward Earl of Mansfield, drunk the health of the Pretender and Lord Dunbar. The matter was referred by the King to the cabinet council. Fawcett was examined; but the charge was so frivolous, and the prevarications of Fawcett so gross and evident, the denials of Mr. Murray and Dr. Johnson so clear, precise, and satisfactory, that the lords unanimously represented to the King, that there was no foundation for any part of the charge†.

Upon this decision, Lord Harcourt and the Bishop of Norwich declared their resolution to resign, unless Mr. Stone, Mr. Scott, sub-preceptor to the Prince, and Mr. Cresset, secretary to the Princess Dowager, were dismissed; for they, it was said, cherished Jacobite principles, and instilled arbitrary notions into the Prince. The King received this unfounded complaint with due indifference, the proffered resignations were accepted, and, not without some hesitation on his part, Lord Waldegrave was appointed governor; the Bishop of Peterborough‡ was nominated preceptor.

To interest the public in this dispute, an anonymous letter was transmitted by the penny post to a popular preacher§, advising him to notice in the pulpit the Prince's dangerous education; and to Lord Ravensworth, General Hawley, and a few other persons, purporting to be a representation or remonstrance from the Whig nobility and gentry, containing many injurious

* Lord Melcombe's Diary, p. 29.

† From private information, and Lord Melcombe's Diary.

‡ Dr. John Thomas, afterwards Bishop of Salisbury and Winchester.

§ Dr. Newton, of St. George's, Hanover Square. See Lord Melcombe's Diary, p. 199.

CHAP.
I.

1752.

reflections on the education of the Prince, and the principles of his attendants*. This paper was fabricated by Horace Walpole, afterward Earl of Orford†; the apparent motive for sending it was, a hope that it would be given to the Duke of Cumberland to lay before the King, and make impressions favourable to the views of the supposed writers.

22d March,
1753.

The accusation against the Bishop of Gloucester, Mr. Murray, and Mr. Stone, was subsequently discussed in the House of Lords, on a motion for an address, praying His Majesty to submit to the House the whole proceeding before the privy council. The business was fully and freely investigated, as the King had granted to the members of the cabinet dispensations from the obligation of their oath as privy-counsellors; but, after a long and heavy debate, the House coincided in opinion with the council so entirely, that only three peers and one bishop offered to divide with the Duke of Bedford, who made the motion‡.

The public, whom this discussion was principally intended to alarm, easily discerned that the chief object was to remove the Pelham ministry, and to separate the Prince from the person and care of his parent; but all good men were satisfied that he should continue under her direction, and that she should preserve that influence over him which nature and policy equally declared to be her due§.

From the satisfaction with which the Prince re-

* Lord Melcombe's Diary, p. 189 to 201; and see the memorial in the same work, p. 487, and Lord Orford's Memoirs, vol. i. p. 262.

† See his Memoirs, vol. i. p. 261.

‡ Lord Melcombe's Diary, p. 229. A long and minute account of this transaction is given by Lord Orford, in his Memoirs, vol. i. p. 247 to 290, and some particulars are mentioned in his Letters to Sir Horace Mann, vol. iii. p. 70 to 80. The noble editor of the latter work, Lord Dover, says, very justly, "This insignificant and indeed ridiculous accusation against Murray and Stone is magnified by Walpole, both here and in his Memoirs, into an important transaction, in consequence of the hatred he bore to the persons accused." Two copies, varying in some slight particulars, are in the British Museum. Additional MSS. 6271. As a specimen of its style and spirit, it says, "To have a Scotchman of a most disaffected family, and allied in the nearest manner to the Pretender's first ministers, consulted in the education of the Prince of Wales, and intrusted with the most important secrets of government, must tend to alarm and disgust the friends of the present royal family, and to encourage the hopes and attempts of the Jacobites."

§ An account of this intrigue, not unmixed with a large portion of his characteristic severity, is to be found in Lord Orford's Memoirs, pp. 48, 62.

ceived the instructions of his new preceptor, the Bishop of Peterborough, sanguine hopes were entertained that he would derive much advantage from his tuition*. To impart a knowledge of books was not the difficulty; in that particular no deficiency was complained of; but it was necessary to imbue the mind of the future sovereign with just notions of the British constitution and jurisprudence, and enable him to estimate correctly the national wealth and resources, and the means of preserving and increasing them†. It was a great object of the Princess's care to educate her son in the principles and constant practice of religion; and with this view she invited the learned and pious Dr. Stephen Hales into her family, and appointed him clerk of the closet. Her good intentions were greatly favoured by the disposition of the Prince, who was affectionate, gentle, and exempt from every appearance of vicious inclination. The dread which the Princess constantly entertained, that his morals would be contaminated by the example of the young nobility, prevented his mixing with them in familiar intercourse, and his acquaintance was almost confined to the social circle of Leicester House; which was select, cheerful, and unrestrained‡.

On attaining his majority, the Prince took his seat in the House of Peers; but there was no debate in that session.

The King, on his accession, found an administration, powerful from the possession of great talents and the combination of parties, and popular from uninterrupted success.

Characters of
the principal
ministers.

The Duke of Newcastle, the ostensible head of this ministry, a veteran in the service of government, was considered the leader of the Whig party. During a period of forty-three years he had filled high situa-

The Duke of
Newcastle.

* Lord Melcombe's Diary, p. 211.

† It was the intention of the Bishop of Norwich to procure, for the instruction of his royal pupil, such a treatise as would convey clear and comprehensive information on the subject of national commerce; and Dr. Tucker, the learned and celebrated Dean of Gloucester, was requested to prepare such a work; he engaged in it, but, for very judicious reasons, declined the accomplishment of his task. See preface to Tucker's Four Tracts, p. ix.

‡ Lord Melcombe's Diary, p. 170, 188, 255, 289.

CHAP.
I.

tions at court and in the cabinet. His princely fortune and extensive influence rendered him a powerful coadjutor, and his uniform zeal in promoting the succession of the House of Brunswick, endeared him to the great majority of the Whigs, as the champion of that cause. In his temper he was fretful, capricious, and jealous of those who rivalled his political ascendancy; this jealousy had been restrained by the superior talents and authority of Sir Robert Walpole; but, on his retreat, it became uncontrolled, and engendered perpetual altercations with succeeding ministers, not excepting even his own brother, Mr. Pelham. Some peculiarities in his manner, and a want of method in the transaction of business, exposed him to ridicule. He was trifling and embarrassed in conversation, always eager and in a hurry, unbounded in adulation, and profuse in promises. His peculiarities of diction, gesture, and manner, were unsparingly ridiculed, and often grossly exaggerated, in prose and in verse, by writers of satires, novels, and farces. Yet the Duke of Newcastle possessed great abilities: he had a quick comprehension, was a useful and frequent debater, spoke with great animation, wrote with uncommon facility, and was perfect master of foreign affairs. He filled the office of secretary of state from 1723, to the death of Mr. Pelham in 1754, when he became first lord of the treasury. When placed at the head of affairs, he was distracted with the multiplicity of business: weakness of councils, fluctuation of opinions, and deficiency of spirit, marked his administration. In 1744, he strengthened himself by a coalition with the Tories and the Whigs in opposition to government, and formed the administration which was ludicrously termed the *broad-bottom*. The discordant parts of this motley combination were principally cemented by the conciliating manners of Mr. Pelham; but, on his death in 1754, dissensions broke out; and, after many ineffectual attempts to form a permanent administration (during which the Duke made a temporary resignation in November 1756, and continued out of office till July 1757), that cabinet was arranged which continued,

without essential alteration, till the period at which this history commences. The Duke of Newcastle still retained the control of domestic affairs, and the patronage of the church; but the conduct of the war, and the management of the House of Commons, were committed to Mr. Pitt.

This great statesman commenced his political career as a Whig, in opposition to Sir Robert Walpole, and soon distinguished himself by the splendour and energy of his eloquence. He was an adherent of Lord Cobham; attached himself to Frederick Prince of Wales, and in 1737 was appointed groom of his bed-chamber. He continued in opposition till the formation of the broad-bottom ministry. In 1746, he was nominated vice-treasurer of Ireland, and in the same year, paymaster of the forces; but the antipathy of the King, in consequence of his acrimony in censuring German measures, overcame the repeated efforts of the Duke of Newcastle to introduce him into the cabinet. At length, the irresistible superiority of his talents bore down every obstacle; in 1757, the King, sensible of the weakness of the ministry, and alarmed at the ill success of the war, reluctantly consented to appoint him secretary of state; a situation which, during the temporary retreat of the Duke of Newcastle, he had held for about four months*. Thus Mr. Pitt, according to the current expression of the day, "took the cabinet by storm;" but, from this moment, Great Britain assumed a formidable position. Mr. Pitt relinquished his opposition to continental connexions; constant success attended him; his commanding eloquence, the wisdom of his plans, the vigour of his exertions, together with the strength of his administration, silenced parliamentary opposition: the people viewed him with an admiration bordering on idolatry; and George II. highly gratified at the prosecution of his favourite measures, and the unprecedented tranquillity of the kingdom, yielded, with implicit confidence, the reins of government to his direction†.

Mr. Pitt.

* Dec. 1756 to April 1757.

† Mr. Pitt's character is displayed by Horace Walpole, in his *Memoirs*, vol. ii. pp. 271, 273, and with unfavourable additions in p. 346.

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I.

Lord
Temple.

Mr. Pitt was supported in the cabinet by his brother-in-law, Lord Temple, who succeeded to the influence and estate of his uncle, Lord Cobham. He was distinguished for his parliamentary abilities, and much respected and beloved by his adherents.

Lord
Granville.

Lord Granville, better known under the title of Lord Carteret, was president of the council. At an early period of life he was secretary of state, and lord lieutenant of Ireland. Being dismissed in the reign of George I. he joined the opposition against Sir Robert Walpole; and, on the resignation of that minister, was restored to the office of secretary of state, became the favorite of the King, and took the lead in the conduct of foreign affairs. After an ineffectual struggle with the Duke of Newcastle for pre-eminence, he resigned in February 1745. In 1751 he was appointed president of the council, and retained that office till his death. He was a man of great talents and literary acquirements; indefatigable in business, of commanding eloquence, and conversant in foreign affairs. Him, Mr. Pitt, when Lord Chat-ham, characterized as one whose abilities did honour to the House of Peers; one who, in the upper departments of government, had no equal; and he took pride in declaring, that from his patronage, friendship, and instruction, he owed all he could be said to possess*. To those who considered his eminent capacity, and arrogant disposition, it was a matter of surprise that he submitted to the ascendancy of the Pelhams, and accepted a situation which, though more elevated in dignity, was of inferior importance.

Mr. Fox.

Mr. Fox, paymaster of the forces, was a friend and active supporter of Sir Robert Walpole; and from his first entrance into parliament had almost uniformly promoted the measures of government. Under Mr. Pelham, he acted in the capacity of lord of the treasury and secretary at war; he was then content to fill a subordinate department in the House of Commons; but, on the death of Mr. Pelham, thought himself entitled to manage that body, and contended with Mr. Pitt

* Parliamentary History, vol. xvi, p. 1097.

for pre-eminence. After a long series of cabals, he gained a momentary ascendancy, and on the 14th of November, 1755, was appointed secretary of state; but in November, 1756, he resigned, and on the 5th of July, 1757, became paymaster of the forces. Mr. Fox was of an acute and penetrating genius, and active in business. His speeches were replete with information, method, and sense; but he wanted that nervous and irresistible eloquence which characterized Mr. Pitt. His manners were conciliatory, and few men had more personal friends*.

Several of the remaining members of administration were highly respectable for talents and integrity; amongst whom must be noticed lord keeper, afterwards lord chancellor, Northington, the Duke of Devonshire, lord chamberlain, Mr. Legge, chancellor of the exchequer, Lord Anson, first lord of the admiralty, and Lord Holderness, secretary of state. Although this ministry had for some years been connected in strict political union, and co-operated heartily in the management of public affairs, there existed among individuals many feelings of jealousy and distrust. They led to no immediate consequence, but were not without their influence in subsequent unions, separations, and arrangements†.

Although the advanced age of George II. rendered his decease not improbable, yet that event was entirely unexpected. He was afflicted with no visible or known disease, testified no uneasiness of mind or depression of spirits, but shewed his usual cheerfulness and alacrity; and from the great success which had attended his late measures, the blaze of constant victory, and the popularity of his ministry, perhaps there never was a monarch whose death was less desired‡.

1760.
First transactions on the death of George II.

* In delineating these characters, much information has been derived from the Memoirs of Sir Robert Walpole, and from the personal communications of the author of that excellent work.

† Letter from Lord Holderness to Sir Andrew Mitchell, 28th November, 1760. Mitchell Papers, British Museum, No. 6832, fo. 234.

‡ See Works of Lord Orford, vol. v. p. 447. His Memoirs of the last ten years of George II., vol. ii. p. 454, and his Letters to Sir Horace Mann, vol. iii. p. 453. And he relates the event in nearly the same words, but with a mixture of unbecoming levity, in a letter to G. Montague, Esq. Letters to him, p. 213.

CHAP.
I.

1760.

The event occasioned much consternation at court, and the intelligence was immediately carried to the secretaries of state. The great officers of the crown were convened, and Mr. Pitt repaired to Kew for the purpose of announcing to the new Sovereign his accession. The King, prepared by some intimation already received, immediately proceeded to London.

Meanwhile a council, assembled at Saville House, was directed to attend at Carlton House, the residence of the Princess Dowager, where the King met them, and transacted business of form; he appeared agitated and embarrassed by the novelty of his situation, and want of acquaintance with the persons by whom he was surrounded; yet his conduct gave general satisfaction, and afforded the presage of a prudent and happy reign.

The King's
address to
the council.

His address to the council, which was published by their request, is a specimen of dignified modesty and unassuming firmness: "The loss that I and the nation have sustained by the death of the King, my grandfather, would have been severely felt at any time; but coming at so critical a juncture, and so unexpected, it is by many circumstances augmented, and the weight now falling on me much increased: I feel my own insufficiency to support it as I wish; but, animated by the tenderest affection for my native country, and depending upon the advice, experience, and abilities of your lordships; on the support of every honest man; I enter with cheerfulness into this arduous situation, and shall make it the business of my life to promote, in every thing, the glory and happiness of these kingdoms, to preserve and strengthen the constitution in both church and state; and, as I mount the throne in the midst of an expensive, but just and necessary war, I shall endeavour to prosecute it in a manner the most likely to bring on an honourable and lasting peace, in concert with my allies."

26th Oct.
King pro-
claimed.

The King, having been proclaimed in the usual

The circumstances and causes of his death are fairly and correctly stated by Smollett, History, vol. v. p. 366.

form on the day after his accession, held a council at St. James's on the ensuing day, when his brother, the Duke of York, and the Earl of Bute, were sworn in as members*. The liturgy was also directed to be altered in those parts where prayers are said for the Royal Family. These circumstances in themselves would not claim any notice, but some offence was taken at the time; and it was afterwards a source of frequent animadversion, that the Duke of Cumberland and the Princess Amelia, who were before particularly mentioned, were now only included in the general term, *and all the Royal Family*. This change was merely a point of etiquette, and not made in consequence of any dislike which the Princess Dowager entertained against the Duke and Princess; but the popularity of the Duke of Cumberland became a medium through which much abuse, vented against the King and the Princess Dowager, was afterwards rendered agreeable to the public†.

The King's friendship for the Earl of Bute led to extensive and permanent consequences. John Earl of Bute was son of James second Earl of Bute, by Ann Campbell, daughter of Archibald first Duke of Argyle. He received his education at Eton; and at an early period of his life became a lord of the bedchamber of Frederick Prince of Wales. On the death of the Prince he retired, and took no share in political transactions, although often consulted by the Princess. On the establishment of the young Prince's household,

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I.

1760.

27th.
The Duke of
York and
Lord Bute
privy-coun-
sellors.

Character of
Lord Bute.

* The early introduction of Lord Bute to the privy council has been descanted on by many writers as a singular circumstance; but it is not in the least extraordinary: it was customary for the King to continue his household servants in the same capacities which they held under him while Prince of Wales; Lord Bute being groom of the stole to the Prince, was therefore continued by the King, and the holder of that office is always constituted a privy-counsellor.

† The words in the prayer referring to the Duke of Cumberland and Princess Amelia were "*The Duke and Princesses*:" but the rank of the Royal Family (except the Prince of Wales, who always stands next the King, as Heir Apparent) is regulated by their proximity to the Sovereign on the throne: thus the Duke of Cumberland and Princess Amelia, as children of George II., took precedence during his reign, of the youngest children of Prince Frederick: on the accession of George III. their positions were altered; the brother of the Sovereign then preceded his uncle in rank: consequently it would have been absurd to retain in the prayer the words "*The Duke and Princesses*," without first inserting some words equally descriptive of the King's brothers and sisters, which would have been not only unusual, but inconvenient, and made the prayer, in the eyes of some persons, ridiculous.

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I.

1760.

he was appointed groom of the stole, and so continued after his accession. He had not occupied any public office; was unacquainted with the business and intrigues of state; and although he possessed an active mind, replete with elegant and abstruse learning, and was well acquainted with the theory of the British constitution*, he was not competent to the task of instructing a future Sovereign in the practical science of governing a kingdom, where the component parts of the legislature were so nicely balanced, and their respective powers and operations so strictly guarded. It could not afford ground of surprise that the King, young and unacquainted with the persons of those who formed a successful and popular administration, should place among his confidential servants a nobleman whom he had long esteemed, and who possessed the confidence and good opinion of his parent: it could not be a subject of animadversion, that such a person should obtain a portion of the King's regard; nor would this circumstance have affected the course of political affairs, had not a new system followed his introduction into the cabinet.

The last two monarchs, being foreigners, and opposed by a native Prince who had numerous adherents, as well among the people as in some of the most illustrious houses, entrusted a large portion of their power to a few distinguished families, in order to secure possession of the crown. These families, strengthened by union and exclusive influence, became not only independent of, but in many respects superior to, the throne. Swayed by a predilection for their continental dominions, the first two Sovereigns of the House of Hanover incurred severe animadversions from the members of opposition; and the necessity of frequent justifications rendering them still more dependent on the leaders of the ministerial party, reduced them almost to a state of pupillage.

* The King derived from the conversation of Lord Bute his principal knowledge of the constitution: and Lord Bute obtained from Blackstone the most interesting parts of his Commentaries on the Laws of England while in MS. and laid them before the Prince for his instruction.

But the new King, being exempt from foreign partialities, ascending the throne at a period when the claims of the exiled family were fallen into disregard, was enabled to emancipate himself from the restraint to which his predecessors had submitted. The Earl of Bute formed the plan of breaking the phalanx which constituted and supported the ministry, and of securing the independence of the crown, by a moderate exertion of constitutional prerogative. This plan in itself was well conceived, and necessary; but the Earl of Bute was not a proper person to carry it into effect. He was not connected, either by blood or by familiar intercourse, with the leading families in England; he was not versed in the arts of popularity, nor used to the struggles of parliamentary opposition; and his manners were cold, reserved, and unconciliating. He had not, as a measure preparatory to the assumption of power, secured an interest in either house of parliament, or among the people*. Prejudices were easily excited against him as a native of Scotland; for it is to be recollected, that only fifteen years had elapsed since a rebellion begun in that country, had raged in the very heart of England, and he could only oppose to a popular and triumphant administration and a long established system, such friends as hope or interest might supply, and the personal esteem of the King, which was rendered less valuable by the odium attached to the name of favourite.

At his accession, the King was exceedingly popular; his court was observed to be free from the gloomy stiffness which, during the late reign, had displeased so many, and to which his polite and gracious manner afforded a delightful contrast; loyal and affectionate addresses poured in from every part of the realm, and were received in a manner which made the most advantageous impression. Yet, if the conflicts of party were not immediately commenced, it was obvious that they were only suspended; and, in the city of London, tokens of hostility were broadly disclosed, by a paper

CHAP.
I.

1760.

New system
of govern-
ment
planned.

Popularity
of the
King.

* Lord Orford's Letters to Mr. Montague, p. 217.

CHAP.

I

1760.

26th Oct.
Meeting of
Parliament.

18th Nov.

The King's
Speech.

fixed on the Royal Exchange, denouncing "petticoat government, a Scotch minister, and Lord George Germain*."

Parliament met immediately on the King's Accession†; and after a short prorogation‡, to give time for previous arrangements, the King opened the session. It was remarked, that there never was in the memory of the oldest persons such a numerous concourse of all ranks on any similar occasion§, nor such unanimous testimonies of applause. The public prepossession, increased by the King's affable and gracious demeanour, was carried to the greatest height by the patriotic sentiments contained in his speech.

He began by expressing his regret at the death of his grandfather at so critical and difficult a conjuncture, as he was the great support of that system, by which alone the liberties of Europe, and the weight and influence of these kingdoms, could be preserved, and gave life to the measures conducive to those important ends.

After declaring his reliance on the affection of his people, and the goodness of Providence, His Majesty used these words: "BORN AND EDUCATED IN THIS COUNTRY, I GLORY IN THE NAME OF BRITON: *and the peculiar happiness of my life will ever consist in promoting the welfare of a people, whose loyalty and warm affection to me I consider as the greatest and most permanent security of my throne* ||; and I doubt not but their

* Lord Orford's Letters to Mr. Montague, p. 221, 225.

† It met on Sunday, in pursuance of a statute of William III. the substantial parts of which are re-enacted in one of Queen Anne, requiring the Parliament to meet, convene, and sit, immediately on the death of a Sovereign. See Hatsell's Precedents, vol. ii. pp. 107, 286.

‡ From the 8th to the 18th November.

§ Mr. Pitt was prevented by illness from attending.

|| After the draught of this speech had been settled by the cabinet, an addition was made to it in His Majesty's own hand, which became the subject of some animadversion; it was compared by many of the most zealous of the Whig party to the concluding part of the first speech of Queen Anne, after her accession. (See Journals and Smollet's Continuation of Hume, vol. i. p. 447.) But at this distance of time, when the question may be more impartially considered, and distinctly from other circumstances, there does not appear any reason for imputing to the declaration of the King, that "born and educated in this country, he gloried in the name of Briton," an intention of reflecting on the memory of his grandfather. In fact, the origin of that passage has been disputed. Some say it was suggested by Mr. Pitt; some that it was composed by Lord Bute; while

“steadiness in those principles will equal the firmness
“of my invariable resolution to adhere to and
“strengthen this excellent constitution in church and
“state; and to maintain the toleration inviolable. The
“civil and religious rights of my loving subjects are
“equally dear to me with the most valuable preroga-
“tives of my crown, and, as the surest foundation of
“the whole, and the best means to draw down the
“divine favour on my reign, it is my fixed purpose to
“countenance and encourage the practice of true
“religion and virtue.”

In the progress of his speech, the King descanted, with becoming satisfaction, on the prosperous efforts of the British force in Canada and India, and on the successful exertion of the allied arms in Germany; he mentioned, in strong terms of approbation, the benefits which the national commerce had derived from the judicious disposition of the navy, and paid a just and honorable tribute of applause to the valour and intrepidity of the officers and forces both at sea and land.

Having thus completely reviewed the state of the nation, the King said, “In this condition I have found
“things at my accession to the throne of my ancestors;
“happy in viewing the prosperous part of it; happier
“still should I have been, had I found my kingdoms,
“whose true interest I have entirely at heart, in full
“peace: but, since the ambition, injurious encroach-
“ments, and dangerous designs of my enemies, ren-
“dered the war both just and necessary, and the
“generous overture made last winter towards a con-
“gress for the pacification has not yet produced a
“suitable return, I am determined, with your cheerful
“and powerful assistance, to prosecute this war with
“vigour, in order to that desirable object, a safe and
“honourable peace. For this purpose it is absolutely
“incumbent upon us to be early prepared; and I rely
“upon your zeal and hearty concurrence to support
“the King of Prussia and the rest of my allies, and

others assert, that, when the council met to settle this speech, the King pronounced it as his own, and it was adopted without reference to any other authority.

CHAP.
I.

1760.

“ to make ample provision for carrying on the war, as
 “ the only means to bring our enemies to equitable
 “ terms of accommodation.”

Then addressing himself separately to the House of Commons, the King, after lamenting the greatness of the national burthens, expressed his reliance on them to provide adequate supplies, and to make a proper provision for supporting the civil government with honour and dignity.

In conclusion, His Majesty reminded both houses that the eyes of all Europe were upon them, and invoked a due regard to their own reputation, and the protection of the Protestant interest. He recommended vigour, unanimity, and dispatch, as the best means of frustrating the ambitious and destructive views of his enemies ; and added, “ In this expectation I am the
 “ more encouraged by a pleasing circumstance, which
 “ I look upon as one of the most auspicious omens of
 “ my reign. That happy extinction of divisions, and
 “ that union and good harmony, which continue to
 “ prevail among my subjects, afford me the most agree-
 “ able prospect. The natural disposition and wish of
 “ my heart are to cement and promote them ; and I
 “ promise myself that nothing will arise on your part
 “ to interrupt or disturb a situation so essential to the
 “ true and lasting felicity of this great people.”

The sentiments contained in this speech were no less acceptable to the people at large than to the members of the two houses. The King's youth, dignity of deportment, and propriety of enunciation, gave the highest satisfaction ; and those who had been accustomed to the speeches from the throne in the former reign, were relieved and gratified by hearing His Majesty deliver himself in all the purity of English pronunciation.

Addresses.

Loyal addresses were unanimously voted in both houses*, and the commons exceeded the ordinary mani-

* The following expression in the address of the Lords was peculiarly elegant and happy : “ We are penetrated with the condescending and endearing manner
 “ in which Your Majesty has expressed your satisfaction in having received your
 “ birth and education among us. What a lustre does it cast upon the name of
 “ Briton, when you, Sire, are pleased to esteem it among your glories !”

festations of attachment by presenting a second address, thanking His Majesty for the gracious manner in which he received the first.

CHAP.
I.

1760.

The principal business transacted in this session related to the civil list, and to the supplies*.

Civil List,
25th Nov.

The civil list was fixed at eight hundred thousand pounds, the King having signified his consent that such disposition might be made of the hereditary revenues of the crown, as should best conduce to utility and the satisfaction of the public.

Supplies.

The supplies amounted to nineteen millions six hundred and sixteen thousand one hundred and nineteen pounds, to pay the interest of which several taxes were continued, and a new duty of three shillings per barrel imposed on beer and ale.

1761.
3d March.
Judges made
permanent.

On granting new commissions to the judges, the tenure of their office fell under consideration. The King, anxious to insure their independence and uprightness, recommended, in a speech from the throne, that provision should be made for securing the enjoyment of their offices during their good behaviour, notwithstanding the demise of the crown; and requested that he might be enabled to grant proper salaries to be absolutely secured to them during the continuance of their commissions. This wise and patriotic suggestion was received with merited attention; and an act passed, fully providing for the important objects of His Majesty's recommendation†.

And their
salaries aug-
mented.

When the end of the sessions approached, Mr. Onslow, who for more than thirty years had filled the situation of speaker, with unshaken integrity, signified his determination to retire: a vote of thanks was unanimously carried, and an address presented, requesting the King to confer on him some signal mark of favour. A pension of three thousand pounds was accordingly settled on Mr. Onslow, with benefit of survivorship to

18th March.
Speaker
Onslow
retires,

with a pen-
sion and
honours.

* No act of grace was proposed, but a bill was passed for the relief of insolvent debtors, in which was a permanent clause, compelling them to subscribe, on the requisition of any creditor, a schedule of their effects, and upon doing so, and giving them up, they were to be discharged. This provision was dictated by humanity, but its regulations were so much abused, that it was soon repealed.

† Blackstone's Commentaries, vol. i. p. 268.

CHAP.
I.

1761.

5th May.

Dissolution
of Parlia-
ment.
19th March.
21st.
Favourable
opinions
formed of
the King.

his son. This testimony of regard to experienced merits and long services, was extremely agreeable to the public; and the common council of London complimented the late speaker with the freedom of the city in a gold box.

The public business having been performed with perfect unanimity, the King closed the session, and the parliament was immediately dissolved*.

Up to this period, great predilection for the King was evinced both at home and abroad. "Happy the nation," the people of Prussia observed on reading the King's speech, "destined to be governed by such a Prince, for from such an outsetting every thing may be expected. It is not only a cordial, but a cure for despair†." To his demeanour and talents for business, testimony is borne by one of his ministers in a confidential communication. "Our young man," he says, "shews great attention to his affairs, and an earnest desire of being truly informed of the state of them. He is patient and diligent in business, and gives evident marks of perspicuity and good sense. There is a grace and affability in his manner that is vastly engaging, and which is properly tempered with a becoming dignity of representation. I protest to you, this picture is drawn without the least flattery, and rather under than over the mark‡."

* No memorials are preserved of debates in this session; the account of the proceedings is derived from the history and proceedings of Parliament published by Debrett; the Parliamentary History, vol. xv.; and from the Journals.

† Mitchell Papers, vol. v. No. 201, p. 148.

‡ Letter from Lord Holderness to Sir Andrew Mitchell, 28th Nov. 1760, same collection, No. 6832, fo. 234. In support of the opinion expressed by Lord Holderness, may be cited those of Sir Joseph Yorke and Lord Barrington, in letters to the same minister. "The young monarch," Sir Joseph observes (3d Jan. 1761), "has ascended the throne in the happiest era of the British nation. The first of his family born in England; in the prime of life; with a good constitution, and with the good opinion of his subjects. He has many amiable and virtuous qualities; is rather timid, but since his accession, I am told, he represents well, and spoke his speech with great grace and dignity."

"Nothing," says Lord Barrington (5th Jan. 1761), "can be more amiable, more virtuous, better disposed, than our present monarch. He applies himself thoroughly to his affairs; he understands them in an astonishing degree. His faculties seem to me equal to his good intentions, and nothing can be more agreeable or satisfactory than doing business with him. A most uncommon attention, a quick and just conception, great mildness, great civility, which takes nothing from his dignity; caution and firmness are conspicuous in the highest degree, and I really think none of them are over or under done." Mitchell Papers, Book 6834, fo. 27 and 145.

Although, in the declaration to the council at his accession, and in his subsequent speeches at the meeting and prorogation of parliament, the King expressed a determination to prosecute the war, it was his first and most earnest wish to restore to his subjects the blessings of peace*. The paragraph in the declaration to council referring to the war, was not originally expressed in such a forcible manner; but an alteration was made by Mr. Pitt, which implied a decided approbation of the German measures, instead of mentioning them, as the King intended, in terms of coldness†. The King was thus induced to give up his own opinion, and renewed a subsidiary treaty with the King of Prussia, similar to those concluded by George II.‡

1761.
The King's
desire of
peace.

The energy of Mr. Pitt, the celebrity of the King of Prussia, the success of Prince Ferdinand, the increasing glories of the British arms, and the depression of the French power, contributed to render the war in the highest degree popular; yet many politicians apprehended fatal consequences from its continuance, even should success attend the allied arms.

Causes of the
popularity of
the war.

They blamed the project of carrying on a German, instead of a maritime, commercial, and colonial war, which was best adapted to the situation of this country, and in which we were always superior to our enemies. France, they said, could prosecute the contest in Germany for ten years, without increasing her debt five millions sterling, while we could not carry it on for the same period, without increasing ours upwards of fifty millions; and all the advantages which might be gained over France, would not compensate for such an enormous expenditure. They treated the popular enthusiasm for a German war as a dangerous delusion. The merchants, who greatly contributed to raise it, particularly in London, were interested; but the landholders suffered. The glory and advantage of sweeping the sea, cost the land four or five millions a year. They suggested, that when the merchants should lose

Arguments
against it.

* The King's speech to Parliament, Nov. 1763.

† From a memorandum by Lord Melcombe.

‡ This treaty was signed 12th December, 1760.

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I.

1761.

the advantage of contracts and furnishings, they would repent of their alacrity, and wish they had used their interest in inducing government to desist, when the national honour was vindicated, and the national possessions secured*.

↙ The press, too, uttered without reserve the same sentiments. The absurdity of the manner of warfare which this country had adopted was exposed in striking colours. It was asserted, that, by making Germany the seat of hostility, France could ruin this country, without materially injuring herself. The quarrels of any two states of Europe, for whatever cause, were always favourable to the interested and ambitious views of the French, who would espouse the weaker side with a partial exertion of strength, increasing their efforts in proportion as other countries favoured the opposed cause. The military force of France was alleged to be superior to that of any other power in Europe; and by her address in confining the war to Germany, England, who was her only opponent, was reduced to fight at an immense expense, in a country, where victory itself, while it weakened and dispirited the friendly natives, could never distress the French; they only retired, after defeat, to their own frontier, whither we durst not follow them, and always returned to the next campaign with a force superior to all the efforts of British gold, and German exertion. Nor were our efforts really beneficial to the Protestant interest, which, in fact, was not endangered. The defence of Hanover was alleged to be a futile pretence for carrying on the war in Germany; the French could not annex it to their dominions, without taking possession of several other electorates, which the constitution of Europe would not permit; and even if they entertained such a scheme, the way for England to oppose it was not by sending armies to Germany, but by turning to the utmost advantage her decided naval superiority; thus she might obtain possession of the French West India islands, and hold them as a deposit or guaranty for the security of Hanover.

* These sentiments are amply detailed in Lord Melcombe's Correspondence.

The subsidy or tribute to the King of Prussia was represented in a most injurious light : he received six hundred and fifty thousand pounds a year to fight his own battles, whilst England was bound to defend him without the slightest stipulation on his part. This was contrasted with the important and valuable assistance which King William had prudently secured against France, from the most considerable powers of Europe, for a less sum than was now paid to the King of Prussia alone*.

Such were the opinions professed in private, and patronized in public, by the Earl of Bute and his adherents. The King had, from his infancy, been accustomed to hear the connexion of this country with Germany condemned and reviled by men who were considered eminently enlightened and truly patriotic. He had so little attachment for his German dominions, that no doubt was entertained of his being induced to abandon the defence of them, that the money hitherto uselessly lavished on that object might be employed in distressing the French in other quarters, for the purpose of compelling them to make peace. A proposal so flattering to the prejudices of Englishmen, it was supposed would confer extensive and permanent popularity on those who should have the virtue to recommend, and the interest to enforce it ; and some jealousy was entertained, lest the ministry, who had hitherto conducted the war, should insure the continuance of their power and popularity after a peace, by being the first to adopt the plan†.

Mr. Pitt, however, was not disposed to become a candidate for increased popularity (if an increase of his popularity was possible) on such terms. He had concerted the war on a system suggested by the King of Prussia, improved by himself, and fully sanctioned by George II., who was supposed to be a competent

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I.

1761.

The King's
patriotic
disinterest-
edness.

Mr. Pitt
zealous in
prosecuting
the war.

* Considerations on the present German war, by I. Mauduit, Esq. This production was generally read, and the author afterwards received a pension. History of the late Minority, p. 13.

† Lord Melcombe's Diary, p. 422 ; and the same sentiments are more fully expressed and enforced in a paper of Lord Melcombe's, dated 16th January, 1761, and endorsed " Paper read to Lord Bute."

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1761.

judge of military matters. The success of the allied arms had hitherto silenced opposition, and excited universal admiration; and France was so enfeebled and humbled, that her further efforts were not considered objects of dread. The people, amused by the splendid exhibitions attendant on victory, and flattered by the merited encomiums bestowed on the valour and liberality of the country, disregarded the load of debt created by the war, and despised the accumulation of taxes. The capital, which by its exertions and clamours generally gives a political bias to the rest of the kingdom, was implicitly devoted to the minister, and he was so far from entertaining a notion of abandoning the continent, that the friends of that project pronounced him more mad than ever*.

Tumultuous
disposition
of the
populace.

On his accession, the King had received all his grandfather's ministers most graciously, and pressed them to continue in his service. Some of them, particularly the Duke of Newcastle, were inclined to retire; but they were persuaded by the great body of the Whigs to remain in office. They consented; but still the Earl of Bute was an object of jealousy, and his conduct was vigilantly scrutinized†. As he was expected soon to obtain a place in the ministry, many efforts were made to inflame the national prejudice against the Scots, and the people were taught to believe that every unpopular act was the result of his advice. The King had not completed the fourth month of his reign, when the ungovernable and licentious spirit of the mob was displayed in a riot while he was at the play-house; the tax on beer was imputed to

2d Feb.

* Lord Melcombe's Diary, p. 427.

† A subject of successful invective and permanent misrepresentation arose in the gift of the rangerhip of Richmond Park to Lord Bute. This office was held by the Princess Amelia; and it was boldly asserted that the gratification of the favourite, and the mortification of the Princess, were equal motives for the change; but, in fact, the Princess held the appointment *for her life*, and therefore could not be deprived of it but by her own consent. The Princess at first proposed to make Richmond her principal residence, and the great stone lodge was directed to be prepared and enlarged for that purpose; but during the progress of the work, a decision at law was made contrary to her wishes, relative to a right of stopping the foot-way; she then became disgusted, suspended the execution of her orders, and, on receiving an ample equivalent, cheerfully resigned an appointment which no longer gratified her imagination, except as an object of emolument.

Lord Bute, and this was their mode of expressing disapprobation*.

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Whatever efforts might be made in the way of popular clamour, it was obvious that Lord Bute could not long remain without official employment, and he removed some obstacles to his advancement by judicious arrangements. He met the Duke of Argyle, with whom he had an old misunderstanding, and in one hour an explanation adjusted their differences†. He also settled measures with Mr. Pitt, and his acceptance of office was agreed on‡. The retirement of Lord Holderness was the means by which Lord Bute acquired the place of secretary of state. The measure appears to have been arranged with considerable art and duplicity; but Lord Holderness did not complain; he was gratified with a pension, and a grant in reversion of the wardenship of the cinque ports§. Mr. Legge was also dismissed from the chancellorship of the Exchequer, and his office given to Lord Barrington, who accepted it on the earnest solicitation of the Duke of Newcastle||. Several other removals and advancements of less importance were made, and the Duke of Richmond, disgusted with a military promotion which he considered injurious to his brother, Lord George Lennox, resigned the post of lord of the bed-chamber**.

March 25th.

Lord Bute
secretary of
state.

Changes in
the ministry.

In making this acquisition of power, the friends of Lord Bute, who understood the true position of public

* The inhabitants of Hexham (9th March) evinced a more formidable disposition to tumult; on the balloting for militia-men, they assembled in such numbers, and committed such excesses, that it became necessary to employ the military; and a special commission having been afterwards issued, several of the rioters were tried, and one executed.

† Letter from Sir Joseph Yorke to Sir Andrew Mitchell, Papers, Book 6834, fo. 27.

‡ Same Collection, Book 6839, fo. 215.

§ Lord Melcombe's Diary, p. 416.

|| Political Life of Lord Barrington p. 69.

** It is asserted in Lord Melcombe's Diary, p. 417, that the Duke of Richmond, after speaking disrespectfully of Lord Bute and the Scotch nation, had solicited the bed-chamber. The Duke has denied these facts in a letter printed in the same work (p. 500). The transaction, in whatever light it is viewed, reflects no disgrace either on the Duke or Lord Bute. If we refuse Lord Bute credit for magnanimity in favoring the Duke's wishes, after he had spoken disrespectfully of him and his country, it appears at least that he did not oppose them, although his Grace had declared his unwillingness to connect himself with any ministry. The Duke's resignation, in compliment to the feelings of his brother, was spirited and proper.

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affairs, could not fail to perceive that he had acted rather a bold and generous than a prudent part, quitting a secure haven for a turbulent and tempestuous sea; but he was deluded by interested individuals into a belief that he possessed a considerable portion of the public esteem, and that the popularity of Mr. Pitt was declining. They strongly represented to him that he was bound by every motive, public and private, to take an active part in the government*, and he yielded to suggestions according with his views of weakening the party, which, in his judgment, maintained a dangerous ascendancy. Even they who did not believe that his popularity would supersede that of the long-established favourite, thought that the public must be gainers; for so long as the Duke of Newcastle, Lord Bute, and Mr. Pitt acted in concert, the administration of public affairs could meet no obstruction†.

The prorogation and dissolution of parliament were delayed, to afford time for Lord Bute to make the arrangements necessary to strengthen his interest: but when the Duke of Newcastle was prevailed upon to remain in office, he was promised the direction of the new elections, with all the other influence he had formerly enjoyed. Measures had been accordingly taken with so much alacrity and effect, that the influence Lord Bute expected to derive from the King's confidence was engrossed by others, who had taken their measures unknown even to the King himself. He was early apprised of this, and cautioned against it; yet he took no measures to counteract those ministers who were resolved to secure parliamentary adherents by means of government interest, but entirely independent of the crown‡. It became a fashion to say that

* Lord Melcombe's Diary, p. 416; and his letters to Lord Bute, *passim*.

† Letter from Mr. Symmer to Sir Andrew Mitchell, 17th March, 1761; Papers, Book 6839, fo. 215.

‡ Lord Melcombe's Diary, p. 432. In a letter to Lord Bute, dated the 26th November, 1760, Lord Melcombe, after expressing his zeal for the King's service, and anxiety to see him entirely independent, says, "It is not my wish that his Majesty should interpose, directly or indirectly, where the interest is in any private gentleman, as such; but during the two last reigns, a set of undertakers have farmed the power of the crown at a price certain; and, under colour of making themselves responsible for the whole, have taken the sole direction of the royal interest and influence into their own hands, and

the new parliament would be of the peoples' own choosing: a specious term, under which it was foreseen that new difficulties would arise, and new cabals would be engendered†.

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I.

1761.

"applied it to their own creatures, without consulting the crown, or leaving any room for the royal nomination or direction. This should be prevented before any pretence of promise can be made," &c.

† Letters from Sir Joseph Yorke to Sir Andrew Mitchell already referred to.

CHAPTER THE SECOND.

1761.

State of the belligerent powers.—France.—Poland.—Russia.—Austria.—State of the King of Portugal.—Congress proposed.—Progress of the campaign.—Capture of Schweidnitz by the Austrians.—Battle of Fillingshausen.—Capture of Belleisle.—Address of the City of London.—Capture of Dominica.—Reduction of the Cherokees.—War in India.—Capture of Mihie.—Invasion of Bengal by the Shah Zaddah.—His defeat.—Exploits of d’Estaing.—Tranquillity of Great Britain.—The King’s marriage.—Coronation.—Negotiations for peace with France. Terms proposed by the French.—They introduce the discussion of Spanish affairs.—Spirited conduct of Mr. Pitt.—Answer to the French propositions.—Family compact signed.—Mr. Pitt’s instructions to Lord Bristol, ambassador at Madrid.—Lord Bristol’s explanations with the Spanish secretary of state.—Mr. Pitt proposes to declare war against Spain.—He and Lord Temple determine to resign.—Observations.—Mr. Pitt’s resignation.—Gracious behaviour of the King.—Mr. Pitt receives a pension.—Lord Bute considered at the head of the administration.—His sentiments on Mr. Pitt’s resignation.—Popular opinions on Lord Bute and Mr. Pitt.—Their reception in the City.—Meeting of Parliament.—The Queen’s dowry settled.—Recess.

CHAP.
II.

1761.

State of
France.

If peace was desirable to the English nation, it was still more so to all the other belligerent powers, except the Empress Queen. France severely felt the miseries of unsuccessful warfare, and was fallen, from an alarming state of power and greatness, into one of poverty and impotence. Her military operations had been unfortunate in every quarter of the globe; the merchants and planters had, for more than two years,

ceased to derive any advantage from the few colonial possessions which yet remained; she was without trade, and without credit; stopping payments, returning bills protested, and in every respect a bankrupt nation*; the King, the princes of the blood, the nobility and clergy, were under the necessity of sending their plate to the mint, to furnish specie for immediate use. The alliance with Maria Theresa had ceased to be popular; and the nation, feeling the pressure of the war, loudly complained of a system which involved them in misery, merely to benefit the house of Austria, their ancient, hereditary enemy. Yet any general conclusion, drawn from these appearances, that the French must be driven to seek peace on dishonorable terms, could not fail to be erroneous. The proud spirit of independence which distinguishes that nation was sufficient to prevent any mean or degrading advances; and if their government was obliged to avow circumstances which could not be concealed, still they always declared themselves able and ready to meet the expenses and contingencies of another campaign; and, although they did not disguise a desire of peace, they always maintained the sentiments worthy of a nation which could be poor without degrading humbleness, and could desire peace without condescending to implore it†.

Early in this year, Louis XV. declared to his allies, that France, having for four years, in conjunction with other powers, prosecuted the war in hopes of ruining the King of Prussia, but without success, was severely injured by the enormous expenses of the contest. He represented, that a continuance of the war would complete the devastation of Germany; and advised the other powers to renounce their views of aggrandizement, and concur in the re-establishment of peace.

The same declaration was made, in terms still stronger, at Stockholm, where the French faction in the senate had been vigorously attacked by the court party, and hopes were entertained that, in another

* Letter to Two Great Men.

† Letter from Sir Joseph Yorke to Mr. Mitchell already quoted.

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II.1761.
Poland.

campaign, Sweden would no longer be numbered among the enemies of the King of Prussia.

The King of Poland, tired of a destructive war, listened with satisfaction to intimations of peace, and hoped by negotiation to obtain some indemnity for his losses.

Russia.

Elizabeth, Empress of Russia, whom pride and the arguments of her counsellors alone induced to continue at war, was not averse to a pacification, as it would leave her to the enjoyment of that repose which now constituted her greatest pleasure. She entertained an inveterate animosity against the King of Prussia; but still hopes, however vague and feeble, were entertained of detaching her from the grand alliance. The means by which Frederick proposed to achieve this important object are characteristic of his sanguine temper, and of the facility with which he could employ engines apparently feeble and insignificant in the furtherance of great designs. A private individual, named Badenhaupt, residing at Berlin, had a brother living at Petersburg, a physician, in the employ of Peter Schuwalow; the brother from Berlin was to be sent to the Russian capital, under pretence of a mere fraternal visit, but, in reality, to discover, through his brother's means, whether, by the intervention of Schuwalow, a separate negotiation might not be attempted. As the English government had always been ardently desirous of seeing this separate peace established, and had, at an earlier period, offered to remit twenty thousand pounds to be judiciously distributed in largesses, no hesitation was felt by Sir Andrew Mitchell, the English minister at the Prussian court, in giving, at the King of Prussia's request, letters, introducing Badenhaupt to Mr. Keith, our minister in Russia, accompanied with instructions to intimate, that if the court of Russia was desirous of making acquisitions on the side of the Nieper, it would more easily be effected by making a separate peace with Prussia, than by the aid of Austria, and that a separate peace would be more conducive to that end than a general one, in the negotiation for which, such

a proposition would not be well received*. The attempt was not attended with success.

CHAP.
II.

Other attempts at pacific negotiation were made, or instigated by the King of Prussia, whose situation rendered it highly necessary for him to extricate himself, if possible, from the dangers with which he was surrounded. The momentary gleam thrown over his arms by the battle of Torgau† had not the appearance or the promise of a brightened day, but left the horizon enveloped in clouds, which threatened him with destruction. The recovery of Saxony, the successes of Prince Ferdinand, and the increased enthusiasm of his followers, could neither avert or palliate the horrors of his position. His enemies, although enfeebled, were not as he was apparently, exhausted. Men, stores, and money were alike deficient. His struggles, even his victories, had made dreadful havoc in his armies; and the limited population of his dominions did not afford him the means of recruiting, without having recourse to the most violent measures. Deserters, prisoners‡, peasants, and even boys of tender age, as low as fourteen years, without regard to family or station, were compelled to augment his ranks; and his wants were supplied, in part at least, by the severest acts of military extortion. With all his efforts, it was obvious that his next campaign, if he were doomed to enter upon it, must be entirely defensive; self-preservation must be his aim, without any hope of acquisition.

1761.
State of the
King of
Prussia.

His endeavours to negotiate with Russia arose from these circumstances: his ministers in London, Messrs. Knyphausen and Michel, laid before Lord Holder-

1760.
Dec. 12.
His propo-
sals for peace.

* Letters from the King of Prussia to Sir Andrew Mitchell, 11th December, 1761, and 12th February, 1761; Mitchell Papers, 6843, fo. 162 and 169, and from Eichel to Sir Andrew Mitchell, 6847, fo. 90.

† Smollett, vol. v. p. 353; Lord Dover's Life of Frederick II. vol. ii. p. 224, et seqq.

‡ Of the manner in which the service of prisoners was secured, an anecdote is related by Sir Andrew Mitchell, Papers, No. 265, fo. 186, 21st March, 1761: "General Seckendorff having taken a hundred and fifty German troops, among whom were four officers; Well, said the King, there are four prisoners, and a hundred and forty-six recruits." The men were indiscriminately incorporated into different regiments, without even the formality of asking their consent."

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ness the outline of a plan of pacification, which met the immediate approbation of government, tending either to a general pacification or to arrangements which would moderate the ambition of the courts of Vienna and Petersburg, or at least diminish the difficulties with which Frederick was beset. An attempt at a general peace, it was suggested, might be made, consistently with the terms of a declaration made by England and Russia in the preceding year*; but, as past experience had proved that delay and uncertainty might alter such a proceeding, the King of Prussia would act wisely in endeavouring at Petersburg to effect a separate peace; or he might try the courts of Vienna and Saxony to ascertain what would satisfy the ambition of the one, or produce an arrangement with the other. But, as it might happen that a separate peace between Great Britain and France might take place, which would totally change the nature of the war in Germany, it was required to know, what pecuniary assistance, including his present subsidy, the King of Prussia would require to maintain the German troops which might come into his pay. In the correspondence which ensued, the King of Prussia affected to consider, that in acceding to the proposal of a separate peace, he was lending himself to the views of England, although it was shown that all such propositions originated with himself, and were for his sole benefit; and, as a compensation for consenting to such a treaty, he required that England should engage for his assistance all the German troops acting in the army of the allies. It is needless further to pursue the discussions to which this most extraordinary proposition gave rise; all the British ministers, including Mr. Pitt and his immediate friends, concurred in rejecting such terms; and, as no treaty such as was anticipated did take place, the fact is only of importance as it shews the temper of Frederick, and the origin of sentiments which afterwards operated in his mind, to the utter extinguishment of all esteem and gratitude toward

* See this declaration in Jenkinson's Collection of Treaties, vol. iii. p. 85.

the nation which, in the day of his greatest adversity, had rendered him such important services*.

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The Empress Queen alone appeared desirous of prolonging hostilities, by which she expected to destroy her greatest enemy ; yet, in compliance with the wishes of France, she proposed a general congress, to be holden at Augsbourg. The English monarch, on receiving a communication of this arrangement from M. de Choiseul, disclosed it to the King of Prussia, together with another intimation from France, that ministers should be sent to their respective courts, for the purpose of negotiating a separate peace ; Frederick offered no objection, and the British ministry agreed.

Austria.
Congress
proposed.
25th March.

As it was the interest of France to obtain time for recruiting her armies, and refitting her fleets, she also required an immediate cessation of arms ; but England, having already incurred the expense of a new campaign, and made immense maritime preparations, was not duped by this insidious offer.

France entertained great hopes of deriving advantage from the negotiations at Augsbourg ; but the meeting was prevented by a punctilious objection : the Emperor, it was said, could not send an ambassador, because war was declared against the Empress Queen, and not against the head of the empire†.

Failure.

During the winter, a few trifling skirmishes only took place between the King of Prussia and the allies, but offensive operations were now seriously resumed. Frederick II. maintained with spirit, vigour, and skill, an unequal contest against the overwhelming armies of the two empires. He was obliged to consider safety fortunate, and to maintain his political situation by address in temporizing, rather than risk everything by a desperate effort in battle. His distress was increased by the unexpected capture of Schweidnitz, a strong city in Silesia, from which he had hitherto drawn considerable supplies. His affairs were generally unpros-

War on the
continent.

9th Sept.
Capture of
Schweidnitz.
10th Dec.

* Mitchell Papers, 6818, vol. v. fo. 235 ; 6819, fo. 11.

† Œuvres complètes de Frederic II. Roi de Prusse, vol. iii. chap. 13 ; Historical Memorial of the Negotiation, published in Paris by authority ; also in Jenkinson's Collection of Treaties, vol. iii. p. 80 to 166.

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1761.

Battle of
Fillings-
hausen.15th and
16th July.Capture of
Belleisle.

29th March.

8th April.

perous in Silesia, Pomerania, and Saxony; and he kept the field with difficulty and disadvantage, till his troops went into winter-quarters.

Prince Ferdinand, on the other hand, made a brilliant and successful campaign: at an early period, he fortunately cut off some supplies, and, availing himself of the inaction occasioned by this event, strengthened his own position at Kirch Denckern. He was, however, attacked by the French: the conflict was severe, and continued two days: the enemy for a time seemed victorious; they compelled part of the British troops under Lord Granby to retire, and possessed themselves of the village of Fillingshausen; but at length, by a masterly manœuvre, Prince Ferdinand and the British general turned the fortune of the day, and secured a most important victory*. The career of success was uninterrupted till the end of the campaign, which covered both generals with glory†.

Nor were the British arms less prosperous in other quarters. Among the most promising enterprizes of the year, was a secret expedition to attack Belleisle, near the coast of Brittany, which had been planned; and the means of effecting it most judiciously arranged by Lord Anson, before the death of the late King‡. A fleet of ten ships of the line, beside frigates, fire-ships, and bombs, and one hundred transports, conveying nine thousand men, with a train of artillery, sailed from Spithead, in three divisions, under the command of Commodore Keppel. The troops, led by Major-General Hodgson, were repulsed with loss in an attempt to land on the south-east of the island, in a sandy bay, near Lomeria Point; but after some days they were more successful in another effort near the same spot, in a place where the enemy, trusting to the

* This battle, according to Dumouriez, was lost through the precipitation of Broglio, who, in order to gain the victory by his own army alone, made the attack a day too soon, and through the criminal jealousy of Soubise, who sacrificed the glory and interest of France to the pleasure of mortifying his rival. *Life of Dumouriez*, vol. i. p. 36.

† *Œuvres du Roi de Prusse*, vol. iii. chap. 14; and for an animated and correct account of the whole campaign, derived from the best authorities, see *Lord Dover's Life of Frederick II.* vol. ii. p. 239.

‡ *Barrow's Life of Lord Anson*, p. 346.

natural impediments, had been less solicitous to form an artificial defence. Having surmounted considerable difficulties, they laid siege to Palais, the capital of the island, and compelled the governor to capitulate, after a resistance of five weeks, in which he lost nine hundred and twenty-two men; while that of the invaders, in killed and wounded, exceeded eight hundred; and, in consideration of their gallant defence, the garrison were allowed to retire into France, and marched out with all the honours of war*.

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II.

1761.

7th June.

The news of this conquest occasioned general exultation. A loyal address was unanimously voted by the city of London: and great expectations were formed, that the capture of Belleisle would enable ministers to obtain the most favourable terms of peace; but the demolition of the works seems to have been the principal object of the enterprize, and that was effectually accomplished. The French afterwards, made an attempt to burn the British fleet in Basque Road, near Aix: the project was well conceived, but failed through the precipitation and unskilfulness of those to whom it was intrusted.

17th June.

Address of
the city of
London.

17th Dec.

In the West Indies, Dominica was captured by Lord Rollo; and the Cherokee Indians having taken up arms at the instigation of the French, Sir James Douglas and Colonel Grant, at the head of two thousand six hundred men, ravaged their country, and compelled them to sue for peace†.

Capture of
Dominica.
6th June.
Reduction of
the Chero-
kees.

In the East Indies, the British power, which had been strengthened on the coast of Coromandel by the possession of Pondicherry‡, was still further secured on that of Malabar by the capture of Mihie, by Major Hector Manro. An adventurer, named Law, nephew of the famous projector, having assembled a corps of French fugitives, persuaded the Mogul, who in the preceding year had been known by the title of the Shah Zaddah, to invade the kingdom of Bengal. The united force consisted of eighty thousand natives, and

India.

Invasion of
Bengal by
the Shah
Zaddah,

* Barrow's Life of Lord Anson, p. 372.

† Beatson's Naval and Military Memoirs, vol. iii.

‡ See Smollett's Continuation of Hume, vol. v, p. 363.

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II.1761.
who is de-
feated.Exploits of
d'Estaing.Tranquillity
of Great
Britain.8th July.
The King
declares his
intention to
marry.

about two hundred French ; but Major Carnac, with twenty thousand blacks, and five hundred English soldiers, totally routed this vast army, and captured the Mogul and his European coadjutor*.

D'Estaing, who, in violation of his parole, infested the Indian seas with two frigates, sailing to Sumatra, reduced Bencouli, Tappanapoli, and Marlborough fort.

While war was thus vigorously, and with various success, carried on in all quarters of the globe, the people of England enjoyed, not only an absolute tranquillity, but partook of the pleasures incident to a new reign, and shared the festivals to which the season gave birth.

The King, having summoned a council extraordinary, declared his determination to marry the Princess Charlotte of Mecklenburgh Strelitz ; a communication which was received with some surprise, as the King's intention was a profound secret†. His conduct was highly prudent, for it prevented discussions which, besides their extreme indelicacy, might on this occasion have been peculiarly unpleasant. The late King was, at one period, supposed to entertain an intention of marrying him to a Princess of Brunswick, niece to the King of Prussia ; but the match was disagreeable to the Princess of Wales‡ ; and those comparisons which the public interest in the event could not fail to produce, had the King's intention been early announced, must have given great uneasiness at court. Other guesses were made, according to the genius which prevails on such occasions ; but although, under the act of settlement, the choice of the Sovereign was limited to a very few persons, no thought of the Princess who really was to be the object of his choice seems to have been entertained. Indeed, when it was known, much surprise was expressed that the King should marry into the House of Mecklenburgh Strelitz, instead of that of Brunswick, forming, by such means, a double

* See chap. x.

† Lord Orford's Works, vol. v. p. 75.

‡ Lord Melcombe's Diary, 354.

alliance with Princes who had deserved so well, and three of whom were actually fighting in our wars*.

The proper arrangements being made, Lord Anson, first Lord of the Admiralty, conducted the Princess to England, where, after a dangerous and difficult passage, she arrived in safety, attended by her own servants, and the King met her at Greenwich. The ceremony of marriage was performed the same day, and soon afterward the coronation†.

One of the most interesting and important transactions of this year, was the negotiation for peace between Great Britain and France. In consequence of the desire expressed by the court of Versailles, M. de Bussy was received in London, and Mr. Hans Stanley at Paris, as ministers. After some delay, the principles were fully arranged. These were,—That the conquests made on each side should be considered as the property of the conquerors, and either retained or exchanged according to their value: certain periods were also fixed, though not without great discussions, at which the effect of this stipulation was to begin: and it was agreed that all arrangements between the two crowns should be conclusive, independent of the fate of the congress then expected to take place at Augsburg.

These proposals were made by the French ministers: but there is no room to believe that they were even yet sincere in the wish for peace. M. de Bussy spoke in a tone and in a manner very different from M. de Choiseul, who appeared eager to conclude a treaty on reasonable terms, while a party who go-

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II.

1761.

His marriage,
7th Aug.

8th Sept.
and corona-
tion 22d.

Negotiations
for peace.

24th and
31st March.

* Mitchell Papers, 6852, fo. 91.

† For a spirited account of these events, see Lord Orford's Works, vol. v. pp. 80 and 83. His Lordship speaks very favourably of Her Majesty's personal appearance; and the following description of her was written by a lady of high rank in Germany to one in England, 21st July, 1761. British Museum MSS. 4234 B. fo. 58. "Voulez vous le portrait de votre future reine tel qu'il m'a été fait par une amie, actuellement à Strelitz avec elle? Cette Princesse est de menuë taille, plutôt grande que petite; la taille fine, la demarche aisée; la gorge jolie, les mains aussi; le visage rond; les yeux bleus et doux; la bouche grande, mais bien bordée, d'un fort bel incarnat et le plus belles dents du monde, que l'on voit toutes dès qu'elle parle ou rit, extrêmement blanche; dansant très bien; l'air extrêmement gracieux et accueillant un grand air de jeunesse, et sans flatterie, elle peut passer pour une très jolie personne. Son caractère est excellent; doux, bon, compatissant, sans la moindre fierté."

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1761.

verned the proceedings of M. de Bussy were not equally solicitous for that event. They entertained great hopes of inducing Spain to engage in the quarrel, and therefore ostentatiously submitted to make humiliating attempts at conciliation, judging this to be the most certain mode of alarming the court of Madrid, and inducing the Spanish minister to prevent the conclusion of peace with Great Britain, by an early avowal of hostility. Spain had declared that France was sufficiently humbled, but must not be ruined*; and therefore every appearance of immoderate concession could not fail of exciting great emotion.

The British ministry did not entertain sanguine hopes of a successful issue of the negotiation, since the expedition against Belleisle was undertaken after its commencement.

M. de Choiseul contrived to impress on Mr. Stanley's mind, the necessity of keeping the extent of the intended compensations an entire secret, not only from the ministers of the allies of England, but even from M. de Bussy himself†; and, after much debate, agreed that France should make a specific proposal.

The articles delivered by the French minister were:

1. The cession and guaranty of Canada to England, under four conditions; viz. The allowance of the free exercise of the Catholic religion by the colonists: permission for French subjects to quit the colony: the correct settlement of the limits: and permission for the French to take and dry fish on the banks of Newfoundland; for the benefit of this fishery, Cape Breton was to be restored to France, but no fortifications to be erected.

2. France was to restore Minorca and Fort St. Philip; and

3. England to return Guadaloupe and Marigalante.

4. Dominica and St. Vincent's to be in the possession of the Carribs, under the protection of the French; St. Lucie to be restored to them; and Tobago, under

* Lord Orford's Works, vol. v. p. 75.

† Private Letter from Mr. Stanley to Mr. Pitt, 28th August, 1761.

certain conditions, to remain the property of England.

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5. Assuming as a principle that it would be advantageous for the two countries to abstain from all military views of conquest in India, it was proposed that the treaty between Godeheu and Saunders, in 1755, should serve as a basis for the re-establishment of peace in Asia.

6. England to retain either Senegal or Goree, but to give up one of them to France; and to restore Belleisle, with the artillery which was there at the time of the conquest.

7. In consideration of these cessions, France stipulated to evacuate Hesse, Hanau, and so much of the electorate of Hanover as was occupied by her troops.

8. That the separate peace might not be prejudicial to any treaties, or disadvantageous to the Empress Queen, the King of England was to undertake that no part of Prince Ferdinand's army should join the King of Prussia; and, on the other hand, Broglio and Soubise were to retire, the former occupying Frankfort, the latter Wesel and Gueldres.

The countries on the Lower Rhine, belonging to Prussia, being conquered, and actually governed in the name of the Empress Queen, the French King could not undertake to evacuate them till the close of the negotiations at Augsbourg; but agreed to remove double the number of troops withdrawn by England.

9. Naval captures made before the war, to be restored: this was not, however, insisted on as an essential stipulation, but to be referred to the justice of the King, and the English tribunals.

The other articles were not of much importance.

These proposals, although in some respects liberal, could not form the basis of an honourable treaty, as many claims of France were exorbitant, and presumptuous. In India, particularly, it was proposed that Great Britain should resign valuable and extensive conquests, without an equivalent, and merely in compliance with a principle of policy, not of law or justice, dictated by an enemy. The requisition for the restitu-

Observations
on them.

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tion of prizes, although recommended by some show of moderation, was, in fact, equally arrogant, as it affected to make a distinction between the French nation and individuals composing it, and concluded with a clamorous appeal to the law of nations, and an assertion that the arguments advanced on the part of France were unanswerable. The articles respecting the conquests made from the King of Prussia were no less insidious and presumptuous; if the congress of Augsburg failed of producing an immediate pacification, that monarch must, in all probability, have been crushed by the powerful combination of his enemies; an event which France knew Great Britain would not permit.

It is very doubtful if the proposals could have been so modified as to produce a good system of pacification: but, perhaps, before they were made, the French had secured the alliance of Spain, and even planned the treaty which was afterward carried into effect, and the operations which resulted from it. This conjecture is rendered more probable by the delivery of another memorial on the affairs of Spain, in which the French King, more than equivocally, intimated the hostile disposition of the court of Madrid*, and required, as the means of securing a solid peace,—

1. The restoration of some captures made during the war.

2. The privilege for the Spanish nation to fish on the banks of Newfoundland; and

3. The demolition of the English settlements in Honduras.

Such proceedings sufficiently evinced that France was not desirous of peace: but, to aggravate the impropriety of the previous demands, a third memorial was delivered, stating the consent of the Empress Queen to a separate pacification between France and England, provided she might retain possession of the countries conquered from Prussia, and none of the aux-

* He says, "The King will not disguise from His Majesty (of Great Britain) that the differences of Spain with England fill him with just apprehensions, and give him room to fear that, if they are not adjusted, they will occasion a fresh war in Europe and America."

iliaries in alliance with Hanover should join with Frederick.

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Mr. Pitt resolutely declared, both in conversation and writing, that the King would not suffer the differences with Spain to be blended in the disputes then under discussion; a further mention of them, he said, would be considered an affront to His Majesty's dignity, and incompatible with the sincerity of the negotiation; and he returned the memorials relating to Spain and Prussia, as inadmissible. This spirited conduct was acknowledged with due respect by Frederick. Much duplicity appears to have been used on this occasion, as the King of Spain complained of hard treatment in the negotiation concerning Honduras; and caused it to be intimated that by arranging that dispute and entering into a closer union with Spain, England would preclude France from uniting with her after peace, when the alliance between the courts of Vienna and Versailles would be at an end*. These intimations were made to a British minister, by the Marquis Tesmec, a person high in the King of Spain's confidence, at a time when France was preparing to champion his cause; and when the treaty between the two countries for united hostility against Great Britain must have been in progress.

1761.
24th July,
Spirited
conduct of
Mr. Pitt.

He afterwards answered the French propositions, and insisted on terms, more consistent, perhaps, with the situation in which this country stood from the advantages of conquest, than with the pacific sentiments which were supposed to give rise to the treaty. If France had acceded to them, she surrendered all sources of wealth and political importance in America, Africa, and Asia. The demolition of Dunkirk was peremptorily demanded, as the price of liberty to fish on the banks of Newfoundland; and that permission was rendered less valuable by a refusal to cede Cape Breton. Belleisle was offered as an equivalent for Minorca. Guadaloupe and Marigalante were to be restored; but, as the min-

29th July,
Answer to
the French
propositions.

* Letter from Sir James Grey to Mr. Pitt, 19th May, 1761; Correspondence of Lord Chatham, vol. ii. p. 119.

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ister refused to part with Senegal or Goree, the difficulty of obtaining negroes would have rendered the French West India islands of little value. Canada was to be retained, but the limits were not accurately defined. The question concerning conquests in India was left to the discussion of the English and French East India Companies. The restitution of prizes was refused; and the King would continue, as an auxiliary, to assist the King of Prussia in the recovery of Silesia. From these demands it appears that Mr. Pitt was not truly desirous of peace.

Observations.

It might be easily proved that the proposed terms were no less injudicious than immoderate. The equitable end of war is not the political annihilation of an enemy, but the termination of disputes, and the securing of an honourable and permanent peace. Neither of these objects could be attained by this pacification; and France, however reduced in finance, could not be expected to receive such disgraceful conditions, while she had yet the means of prolonging a contest, which might produce a change in her favour, but could hardly reduce her to a more deplorable state of necessity.

The minister, therefore, did not act with his usual wisdom in giving his opponent the advantage of complaining that his haughtiness rendered the treaty impracticable; and he furnished Spain with some pretence for the conduct she resolved to adopt. The minister from that country avowed the offensive memorial delivered by M. de Bussy, and Spanish gold began to be coined on the frontier towns for the benefit of France*.

Negotiation
continued.
5th Aug.

Yet, as matters were not ripe for an open rupture, the farce of negotiation was continued: an ultimatum was delivered from the court of France, replying to the propositions of England; and memorials were sent respecting the prizes; which, with the dubious conduct of Spain, necessarily occasioned some delays. M. de Choiseul amused Mr. Stanley with equivocal declarations, and even induced him to believe that the intro-

* Lord Orford's Works, vol.v. p. 82.

duction of Spanish affairs was not a voluntary act, but extorted by the exigencies of his situation*.

At length the famous treaty, called the Family Compact, was secretly signed; and although it was not ratified, and the conditions unknown, yet Mr. Stanley received obscure intelligence on the subject, which he communicated to Mr. Pitt. The French ultimatum was peremptorily rejected; the negotiation abruptly terminated, and M. de Bussy and Mr. Stanley returned to their respective courts†.

Indignant at the interference of France in the disputes between Great Britain and Spain, Mr. Pitt, immediately dispatched to the Earl of Bristol, ambassador at Madrid, a letter, complaining, in unqualified terms, of the conduct of both those powers. "The memorial delivered by Bussy," he said, "will best speak its own enormity, and the extreme offensiveness of the matter it contains." In apprizing Don Ricardo Wall, the Spanish secretary of state, of this paper, Lord Bristol was directed to remonstrate, with energy and firmness, on its irregularity, and to state, that the King would by no means add facilities for the satisfaction of Spain, in consequence of any intimation from a hostile power, of union of councils, or of present or future conjunctions. At the same time, as the court of France might possibly have exaggerated, if Lord Bristol perceived a disposition in M. Wall to explain away and disavow this offensive transaction, he was instructed to open to the court of Madrid a handsome retreat.

When Lord Bristol waited on the Spanish minister for the purpose of enforcing these topics, he found M. Wall already apprised on the subject by the French ambassador. To the remonstrance, which was made with firmness and spirit, M. Wall answered, that France had voluntarily proposed to attempt the accommodation of differences, and spontaneously tendered, in the event of a rupture, the aid of her forces, to prevent the

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II.

1761.

15th Aug.
Family Com-
pact signed.
1st Sept.
25th Sept.

Mr. Pitt's
instructions
to Lord
Bristol.
28th July.

Lord Bris-
tol's explana-
tion with Ge-
neral Wall.

* Letter from Mr. Stanley to Mr. Pitt, 20th August, 1761.

† For the history of this negotiation, have been consulted, the papers relative to a rupture with Spain, laid before the House of Commons; the historical memorial published by the court of France; given in Jenkinson's Collections of Treaties, vol. iii. p. 80; together with many pamphlets, and periodical publications.

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1761.

English encroachments on His Catholic Majesty's territories in America: an offer which the Spanish monarch had received with all the cordiality due to a friend, who was determined even to involve himself in a fresh war in his defence. Spain, however, had no intention to provoke Great Britain, especially at a time when the court of London was in a most flourishing and exalted situation, occasioned by a series of unparalleled prosperities. M. Wall made many general professions of pacific and amicable intentions, placed the interference of France in a point of view entirely inoffensive, and expressed surprise that Great Britain should take umbrage at the naval armaments carrying on in the ports of Spain; the whole number, including ships of the line and frigates, did not, he said, exceed twenty: they were employed in sailing between Spain and Naples; in convoying flotas and register ships; and maintaining a check on the corsairs of Barbary.

The dispatch from Lord Bristol containing this account, which forms the substance of five conferences, was accompanied with a paper delivered to him by General Wall, in which, after renewing his complaints, avowing the alliance with France, and extolling the moderation and candour of the court of Madrid, the following expressions are used: "The King of Spain will say, as the King of England does, that he will do nothing on account of the intimation of a hostile power, who threatens an union of councils, and gives to understand a future war; for the Catholic King approves of, and esteems in other monarchs, those sentiments of honour he feels himself; and if he had thought that the delivery of the memorial had been construed as a threat, he would never have consented to it. Why has not England made the trial of concluding a peace with France, without the guaranty or intervention of Spain? and adjusted her differences with Spain, without the knowledge of France? Then she would have experienced that their union was not an obstruction, but only tended to tranquillity. With respect to Spain, it is now repeated, that as the King of Great Britain, notwithstanding the memorial, was

"inclined to satisfy the Catholic King, and ready to terminate, in a friendly manner, whatever might occasion a coolness between the two kingdoms, His Catholic Majesty esteems and corresponds with such good purposes*."

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This letter from Lord Bristol was dated the 31st of August, and received the 11th of September. It contained nothing which could justify any hostile intention against Spain, but afforded room to hope for an adjustment of differences, on advantageous terms. The Spanish minister did not attempt to disguise the terror of his court at the vigour and energy of the British arms, and seemed ready to forego every claim which, consistently with the dignity of an independent nation, could be surrendered, to avoid a rupture with so formidable an adversary.

To the surprise, then, of all who were unacquainted with his motives, Mr. Pitt, in a week after the receipt of this letter, proposed in the cabinet to order Lord Bristol to withdraw from Madrid; and presented a bold and extensive plan of operations against the trade, colonies, and wealth of Spain. This proposition was delivered in writing, and signed by Mr. Pitt and Lord Temple, as advice to the King. It was debated with great warmth at three several councils, called for the express purpose; but, the cabinet remaining unconvinced by the arguments adduced in favour of the plan, Mr. Pitt and Lord Temple declared their resolution to resign. Mr. Pitt said, "he was called to the ministry by the voice of the people, to whom he considered himself accountable for his conduct: and he would not remain in a situation which made him responsible for measures *he was no longer allowed to guide.*" To this intemperate and unwarrantable declaration, Lord Granville, president of the council, replied, "I can hardly regret the right honourable gentleman's determination to leave us, as he would otherwise have compelled us to leave him; but if he be resolved to assume the right of advising His Majesty,

18th Sept.
Mr. Pitt proposes war with Spain.

Lord Temple and Mr. Pitt determine to resign.

* Papers relative to the rupture with Spain.

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1761.

"and directing the operations of the war, to what purpose are we called to this council? When he talks of being responsible to the people, he talks the language of the House of Commons, and forgets that at this board he is only responsible to the King. However, though he may possibly have convinced himself of his infallibility, still it remains that we should be equally convinced, before we can resign our understandings to his direction, or join with him in the measure he proposes*." In this extraordinary division of the cabinet, Mr. Pitt and Earl Temple stood alone; opposed to them in opinion, amongst others, were the Dukes of Newcastle and Devonshire, the Earls of Hardwicke, Granville, and Bute, and Lords Mansfield, Ligonier, and Anson†.

Observations.

Mr. Pitt's resolution to resign has been censured, and defended, with a warmth proportioned^a to the magnitude of the object: for certainly the character of a great man, acquired by long and arduous exertion, cannot be considered as deficient in importance or interest; and the attempt to establish the extraordinary principle, that a minister is entitled to abandon the cabinet, because he is not allowed to guide it, requires more than common support both from fact and argument. Mr. Pitt himself declared, "that his opinion was founded on what Spain had already done, not on what that court might further intend to do‡;" this declaration must obviously allude to some intimation he had received of the execution of the Family Compact; and Lord Temple afterward avowed this to be the point on which their vindication rested§. In fact, the Family Compact was signed and ratified before Mr. Pitt proposed the attack on Spain; and it is affirmed, that the Lord Mareschal Keith, who not long before had been in Spain, and who, at the inter-

15th Aug.

8th Sept.

* History of the late Minority, p. 32.

† Letter from Lord Barrington to Sir Andrew Mitchell, 5th October, 1761, Paper 6834, fo. 31. The noble writer treats the resignation as an important and fortunate event.

‡ Letter from Mr. Pitt to ———, in the city. See History of the late Minority, p. 37; Annual Register for 1761, p. 300; Gentleman's Magazine, 1761, p. 465.

§ History of the late Minority, p. 83.

cession of the King of Prussia, was restored to his property in Scotland, in gratitude, communicated to Mr. Pitt this remarkable treaty; but this fact, if it existed, was not disclosed to the cabinet.

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1761.

Mr. Stanley sent to Mr. Pitt, from Paris, a letter, containing information that some treaty had been entered into between France and Spain, and, from memory, detailed what he understood to be the tenth article; but this information was so vague and indefinite, that no minister could, by the production of it, have justified a declaration of war*. Mr. Stanley, perhaps, thought this the tenth article of the Family Compact; but, in fact, it contains no such article. This letter was laid before the cabinet, and copies permitted to be taken by the ministers and their friends; they deliberated on it, and rejected the proposal it was intended to justify. Had this letter been avowed as the only intelligence, which could warrant the commencement of hostilities, all Europe would have been alarmed; the violence of the measure would have destroyed every principle of national security; and the faith of Great Britain would have received an indelible stain.

Nor were the advantages to be derived from such an effort so great as have been supposed. The whole marine force of Spain was inadequate to oppose the victorious and well-appointed navy of England. Her colonies were open to attack, and the small period of delay requisite to obviate the charge of precipitation and injustice could make no effectual alteration in that respect. The flota, which it was part of the project

* Mr. Stanley's letter is in these words: "I have secretly seen an article drawn up between France and Spain; in which the former engages to support the interest of the latter, equally with her own, in the negotiation of peace with England. It was intitled, Article 10th.—I am as yet a stranger to the other nine, but shall endeavour to get them.—This was on a separate piece of paper.—I read it twice over; but it was not left me long enough to copy.—I conceive it to be very recent; for it was communicated in a letter, dated August 10th, to M. de Bussy. He was directed not immediately to sign the peace, if it could be agreed with England; perhaps in order to get off from Spain more decently. I question whether this article has been signed, or totally concluded; but he was not allowed to proceed contrary to it. Spain has been pushing her negotiation ever since I came here, and had about this time gained great ground." See the Family Compact at large in Jenkinson's Collection of Treaties, vol. iii. p. 70.

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to intercept, might, at the very period the proposal was made, have been expected in port; but certainly there was every reason to believe, that before Lord Bristol could receive orders of recall, and a force be dispatched to effect the capture, the intended prize would have been secure from danger*; even if the enterprize had succeeded, the value of the acquisition would have afforded but small compensation for the sacrifice of national honour, by an act differing very little from piracy†.

Spain had committed no avowed act which could justify Great Britain in a declaration of war; nor was the intelligence which had been obtained of her private measures sufficient to afford a pretence for hostility. If a conjecture may be hazarded, it seems not improbable that the communication made to Mr. Stanley was a refined piece of finesse in the French ministry, who, being extremely anxious to effect the rupture, and perhaps expecting that the British minister would, immediately on receiving the intelligence they had permitted to transpire, take steps which he would be utterly unable to justify, hoped to make the cause of France and Spain the common interest of Europe.

Mr. Pitt, in pursuance of his resolution, went to St. James's and resigned the seals, which the King received with ease and firmness, without requesting him to resume his office. His Majesty expressed concern at the loss of so able a minister; and, to shew the favourable sense he entertained of his services, made him a gracious and unlimited offer of any rewards in

5th Oct.
Mr. Pitt's
resignation.
The King's
behaviour.

* Mr. Pitt's resignation, in consequence of his proposal not being complied with, took place the 25th of October. On the 2d November, Lord Bristol wrote a letter to his successor, containing this paragraph: "Two ships have lately arrived at Cadiz, with very extraordinary rich cargoes, from the West Indies; so that all the wealth that was expected from Spanish America is now safe in Old Spain." From this it appears almost impossible, had the utmost celerity been used, that either of these ships could have been intercepted. Indeed, their being yet to arrive could hardly be expected, since Lord Bristol, in a dispatch dated 21st September, and received the 16th October, announced the arrival of the flota in the bay of Cadiz, and mentioned the King of Spain's disappointment at the small quantity of treasure on board.

† The King of Prussia pays Mr. Pitt the compliment of having penetrated the intentions of Spain like a real statesman; but Mr. Pitt possessed no information which could justify him in declaring war, and the King of Prussia was totally unacquainted with the government, parties, and politics of Great Britain. *Cœuvres du Roi de Prusse*, vol. iv. p. 60.

the power of the crown to bestow; at the same time he avowed himself satisfied with the opinion of the majority of the council, and declared he should have found himself under the greatest difficulty had they concurred as fully in supporting as they had in rejecting the measure proposed. Mr. Pitt was sensibly touched with the grandeur and condescension of this proceeding: "I confess, Sire," he said, "I had but too much reason to expect your Majesty's displeasure. I did not come prepared for this exceeding goodness—pardon me, Sire, it overpowers—it oppresses me." He burst into tears*. At a subsequent period, paying a due tribute of gratitude to the generous demeanour of the King, he says, "Most gracious public marks of His Majesty's approbation of my services followed my resignation. They are unmerited, and unsolicited; and I shall ever be proud to have received them from the best of sovereigns†."

The next day, arrangements were made for Mr. Pitt's retreat from office‡. A pension of three thousand pounds a year for three lives was settled on him, and a title conferred on his lady and her issue. Lord Bute interested himself actively and sincerely in obtaining for Mr. Pitt his well-merited rewards; and the retiring

6th.
Mr. Pitt
receives a
pension.

* Copied verbatim from the Annual Register, 1761, p. 44; See also Gentleman's Magazine, 1761, p. 546.

† Letter to ———, in the city.

‡ The following circumstance would not deserve notice, but it serves to show how easily calumnious reports are received, and how carefully preserved and repeated, till the sources of history are entirely polluted. The account of these transactions was not published in the Gazette till the 10th of October, when it was accompanied with an article from Madrid, showing the pacific disposition of the court of Spain. An anonymous author relates the event in these words: "The Gazette itself was prostituted to serve his (Lord Bute's) low and base artifices; he purposely postponed the account of Mr. Pitt's resignation for several days, in order that one of the soothing declarations of the court of Spain might appear along with it, by way of giving the lie to Mr. Pitt's opinion of the Spanish intentions." (History of the late Minority, p. 35.) The same account, though not in terms quite so harsh, is repeated in the Life of Lord Chatham, vol. i. p. 327. The fact stands thus: Mr. Pitt waited on the King to resign on Monday, but the arrangements were not finally made till Tuesday, which being the day the Gazette is regularly published, Mr. Pitt's resignation and pension could not have been announced earlier than Saturday the 10th, unless it had been considered important enough to issue an extraordinary Gazette on the occasion. There was no necessity to delay the intelligence till a soothing declaration from the court of Spain should arrive; for, on the very day Mr. Pitt resigned, a letter was received from Lord Bristol, which was published among the papers

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II.1761.
25th Nov.

minister expressed, in the warmest terms, his gratitude for his sovereign's bounty*. Lord Egremont was appointed his successor; and, shortly afterward, the Duke of Bedford lord privy seal.

Mr. Pitt might, perhaps, feel some disappointment, when he found that his example was not followed by several of his colleagues; but notwithstanding the great weight he derived from his unbounded popularity, he had few personal adherents in the cabinet. The Duke of Newcastle in particular, had always been jealous of his ascendancy, and saw with envy the success of those measures, in which, although he held a distinguished place in administration, he was considered merely as an inferior coadjutor†. Their union had never been sincere, and probably the Duke hoped, on Mr. Pitt's resignation, to gratify his ambition by the resumption of pre-eminence‡.

In this expectation he was disappointed; Lord Bute was considered the head of administration; and those who expected to obtain favour by connecting themselves with the favourite of their sovereign, were extremely assiduous in their court to him, and profuse in their expressions of attachment. Lord Melcombe was among the foremost to congratulate him on being de-

Lord Bute
considered
at the head
of adminis-
tration.

relative to the rupture, and amply shewed that Spain, at that period, was not disposed to assume an hostile position.

Letter from the Earl of Bristol to Mr. Secretary Pitt, dated
Segovia, Sept. 14th, 1761, received October 5th.

"SIR,

"General Wall has acquainted me that M. Manso, governor at Sanroque, had, in consequence of the orders transmitted to him, been at Tariffa, where (after examining into the conduct of the inhabitants of that place, and reproving those who connived at the proceedings which occasioned such repeated complaints from me concerning the illegal protection granted to the French row-boats, under the cannon of that port), he had taken such measures as would put an effectual stop to any further remonstrances on that subject.

"The Spanish minister likewise informed me of his having heard that several additional works are going forward in order to strengthen the fortifications at Gibraltar; which, he said, will naturally confirm the report, too universally spread, of an approaching rupture between our courts. His Excellency asked me, whether Great Britain could seriously entertain any apprehensions of such an event; and, without giving me time to answer, added, that the Catholic King had at no time been more intent on cultivating a good correspondence with His Majesty than at present," &c. &c.

* Lord Chatham's Correspondence, vol. ii. p. 146 to 153.

† See Lord Orford's Works, vol. i. p. 70.

‡ History of the late Minority, p. 74.

livered from a most impracticable colleague ; His Majesty from a most imperious servant ; and the country from a most dangerous minister* ; but Lord Bute did not exult in the event, and whatever motives of uneasiness he had in the late administration, he was far from thinking the dissolution of it, in the present minute, favourable to the King's affairs†.

The press teemed with publications on the unexpected change, and the ex-minister and Lord Bute were attacked by their respective opponents with virulent defamation, and rancorous abuse. Mr. Pitt was reviled for accepting a pension and honours, though these could less be considered an adequate reward for his services, than a tribute of respect to his virtues and exertions ; and Lord Bute was censured for having occasioned a resignation, which, in fact, filled him with uneasiness. Many persons of extensive political information, and sound judgment, anticipated, from the honours and rewards showered on Mr. Pitt, a decline of his influence with the public, and, according to their feelings of respect or of hostility, treated the matter with regret, or with derision‡. His popularity did suffer a momentary decline in the city, and might have been transferred to another, had a competitor appeared ; but, as there was none, it soon flowed back into its accustomed channel ; this was facilitated by an explanatory letter which he wrote to the Lord Mayor§. The common council of London presented a vote of thanks ; and, on the Lord Mayor's day, when the King and Queen dined in the city, they were received by the people with indifference, and Lord Bute was assailed with all the insolence of vulgar malignity. If his flatterers had deceived him into an opinion, that he was less unpopular than he had been, the experience of the day must have removed the delusion, and convinced him that it would have been more prudent to avoid the

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II.

1761.

His sentiments on Mr. Pitt's resignation.

Popular opinions on Lord Bute and Mr. Pitt.

22nd Oct.

9th Nov.
Their reception in the city.

* Letter from Lord Melcombe to Lord Bute, 6th October, 1761.

† Lord Bute's answer to Lord Melcombe, 8th October. Appendix, No. 1, Article 4.

‡ Lord Orford's Works, vol. v. p. 84, et seqq., and Letter from Sir Joseph Yorke to Sir Andrew Mitchell, 20th Oct. 1761. Papers, No. 6836, fo. 149.

§ Chatham Correspondence, vol. ii. p. 158.

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1761.

3rd Nov.
Meeting of
Parliament.
6th.

visit. As soon as he was recognized in the streets, he was insulted with hisses and exclamations, his chariot was assailed by the mob, and his person was protected from violence only by the interference of his near relatives. The presence of royalty in the Guildhall did not restrain the display of unmannerly hostility, and the day of festivity passed off in general gloom*. Mr. Pitt, on the contrary, was gratified with unbounded marks of applause.

The new Parliament met while the public mind was thus agitated; and the House of Commons, on the motion of Mr. George Grenville, seconded by Lord Barrington, unanimously elected as their Speaker Sir John Cust, Baronet, whose integrity and abilities rendered him highly worthy of that distinguished office. The king, in his speech from the throne, after mentioning his happy marriage, adverted to the failure of his efforts at pacification, and stated, as matter of consolation, that the continuance of war, and further effusion of Christian blood, could not, with justice, be imputed to him. He spoke in animated terms of the successes which had distinguished the year; and was persuaded both houses would agree with him in opinion, that the steady exertion of our most vigorous efforts, in every part where the enemy might still be attacked with advantage, could alone be productive of such a peace as might with reason be expected from our successes. "It is therefore," he continued, "my fixed resolution, with your concurrence and support, to carry on the war in the most effectual manner for the advantage of my kingdoms, and to maintain, to the utmost of my power, the good faith and honour of my crown, by adhering firmly to the engagements entered into with my allies. In this I will persevere until my enemies, moved by their own losses and distresses, and touched with the miseries of so many nations, shall yield to the equitable conditions of an honourable peace; in which case, as well as in the prosecu-

* Letter from Dr. Birch to Lord Royston, Birch Papers, MSS. British Museum, No. 4324, fo. 139; Letter from Thomas Nuthall to Lady Chatham. Correspondence of Lord Chatham, vol. ii. p. 166.

“ tion of the war, no consideration whatever shall make
 “ me depart from the true interest of my kingdoms,
 “ and the honour and dignity of my crown.”

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1761.

In addition to the other necessary supplies, His Majesty recommended the making an adequate and honourable provision for the support of the Queen, in case she should survive him ; and in conclusion, added, “ that there never was a situation, in which
 “ unanimity, firmness, and dispatch, were more neces-
 “ sary for the safety, honour, and true interest of Great
 “ Britain.”

As it was known that Mr. Pitt would speak on the motion for the address, a great crowd was assembled in the House of Commons. To the disappointment, no doubt, of many, he delivered himself, with great temper and moderation, recommending unanimity, rather than encouraging opposition. In a tone of becoming firmness, he entered upon a justification of his own conduct while in office, but deferred the details. His general system, he said, had been to assail the French wherever they could best be attacked, in Europe and in their colonies, and he was not to be checked by the apprehension of a war with Spain*.

Both houses voted loyal and affectionate addresses ; one of congratulation was presented to the Queen ; and the Commons resolved, that, in case of her surviving His Majesty, she should enjoy a pension of one hundred thousand pounds per annum, together with the palace of Somerset House, and the lodge and lands at Richmond Park. An act framed to this effect passed unanimously. When it received the royal assent, the Queen was in the House of Lords, and testified her satisfaction and gratitude by a graceful obeisance to the King.

7th and
 14th Nov.
 Addresses.

19th.
 Queen's
 dowry set-
 tled.

2nd Dec.

The supplies for the current year amounted to eighteen millions; twelve millions of which were raised by annuities chargeable on the sinking fund ; and the most material business being dispatched, both houses adjourned for the Christmas holidays.

Receas.

* Letter from Mr. Symmer to Sir Andrew Mitchell, 20th Nov. 1761. Papers, No. 6839. fo. 206.

CHAPTER THE THIRD.

1761—1762.

Progress of the negotiation with Spain—Disposition of the British cabinet.—Lord Bristol makes repeated inquiries respecting the Family Compact, but without effect.—Conduct of the Ministry. — Preparations in Spain. — Lord Bristol quits Madrid.—Memorial of De Fuentes.—Declaration of war.—Spain and France attempt to engage Portugal in their cause.—But failing, declare war against that kingdom.

CHAP.
III.

1761.
Sept. 21st
and 28th.
Pacific ap-
pearance of
Spain.
Oct. 5th.

For a short period after Mr. Pitt's resignation, the Earl of Bristol continued convinced of the amicable dispositions of the court of Spain. He even declared, that General Wall had ever acted in too ingenuous a manner to justify a suspicion of duplicity, and intimated that every dispute might easily be adjusted, if a slight concession, not inconsistent with justice or national dignity, was made by yielding some of our most recent encroachments in America. The court of Spain expressed regret at the termination of the treaty for peace with France; but indicated no displeasure, nor the slightest design of interference.

Disposition
of the British
cabinet.

The British cabinet was disposed to cultivate amity, and gratify the punctiliousness of Castilian honour; but as, according to the assertions industriously circulated by France, Spain was on the point of engaging in the war, and the purport of the treaty which had been entered into was hostile to Great Britain, it became necessary to require an explicit declaration. Had they omitted this demand, the ministry would have been exposed to just censure; and if they had proceeded in a negotiation, while a compact of such supposed importance remained in a state of in-

scrutable mystery, their pusillanimity would have been without justification or excuse.

Accordingly, Lord Bristol was directed to use his most pressing instances to obtain a communication of the treaty acknowledged to have been lately concluded between the courts of Madrid and Versailles, or of such articles as could, by particular and explicit engagements, immediately relate to the interests of Great Britain. At the same time, Lord Egremont, who wrote these instructions, stated, that although the King, confiding in his Catholic Majesty's assurances of friendship, was unwilling to suppose it prejudicial to Great Britain, yet, as the declarations of France had been diligently and successfully propagated, an explanation with regard to this already too much credited report, became equally necessary to the honour of his crown and the interest of his people. Lord Bristol was to urge this matter in the most friendly terms, and, after gently insinuating the arguments contained in the dispatch, to shew that His Majesty ought to be satisfied in this before he should proceed to other points: but, on the other hand, he was directed to give the Spanish minister the strongest assurances, that, this obstacle once removed, His Majesty was cordially disposed to enter into an amicable discussion of other matters in dispute, trusting that a confirmed reciprocal confidence would indicate expedients to save the honour of both Kings, effect a satisfactory adjustment, and establish an advantageous and permanent harmony.

In a "secret and confidential" dispatch, it was left to Lord Bristol's judgment to decide the mode of commencing this important and delicate discussion; if he found insuperable objections to the required communication; and if it should be proposed, in lieu of it, to give solemn assurances of the innocence of the treaty with respect to the King's interest, he was not utterly to reject the alternative, but take it *ad referendum*, to be transmitted to the court of London; "Provided always, that the said assurances should be given upon His Catholic Majesty's royal word, signified in

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III.

1761.

28th Oct.
Lord Bristol
directed to
make in-
quiries con-
cerning the
Family Com-
pact.

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1761.

Altered be-
haviour of
the Spanish
minister.
2d Nov.

“ writing, either by the Spanish secretary of state to Lord Bristol, or by the Conde de Fuentes to the secretary of state in London, and not otherwise.”

Before the arrival of this dispatch, Lord Bristol, finding General Wall's behaviour greatly altered, had sent a messenger express to London. This alteration arose, most probably, from the intelligence of Mr. Pitt's resignation, and its motives, which occasioned great fermentation. The court of Madrid was at a loss to conceive how the declaration of war should ever have been moved in His Majesty's council, since they always considered themselves the aggrieved party, and never could imagine that the English would commence hostilities.

Lord Bristol, alarmed at the prevailing reports of an approaching rupture, and entertaining some apprehensions of an agreement to that effect between their Catholic and Christian Majesties, declared to M. Wall, that he could neither hear such reports with indifference, nor give credit to them without an explicit avowal from himself.

Instead of a specific answer, Wall began a recapitulation of the Spanish complaints, affirming that Great Britain, intoxicated with success, had contemned the reasonable concessions of France, with a view to ruin that power, that she might more easily sieze all the Spanish possessions in America, and thus gratify her unbounded thirst of conquest. He added, with uncommon warmth, that since the King's dominions were to be overwhelmed, he would advise him at least to arm his subjects, and not continue, as he had hitherto appeared, a passive victim.

Lord Bristol, astonished at this discourse, and convinced he should obtain no effectual answer to his inquiries at that conference, desisted; but, again introducing the subject when M. Wall was not so much exasperated, by dint of perseverance obtained an avowal, that “ his King thought it time to open his eyes, and not suffer a neighbour, an ally, a relation, and a friend, any longer to run the risk of receiving such rigid laws as were prescribed by an insulting

"victor." The Spanish minister further acknowledged, that His Catholic Majesty had judged it expedient to renew his Family Compacts with the Most Christian King; but refused an answer to Lord Bristol's inquiries concerning their nature and extent.

The British ministry could not, after Mr. Pitt's resignation, receive this intelligence with indifference. By resisting his advice, they had exposed themselves to the charge of timidity and want of foresight, and, in the last dispatch to Lord Bristol, had taken particular pains to obviate the effect of such a supposition in Spain, by observing, that the measures of government would suffer no relaxation on account of Mr. Pitt's quitting the cabinet: far from its being true that the whole spirit of the war had subsided with him, the present ministry were resolved, by a vigorous exertion of their powers, to avoid every imputation of indecision or indolence, and would stretch every nerve toward forcing the enemy to accede to a safe, honourable, and, above all, a lasting peace. The dispatch also stated, that the most perfect harmony, mutual confidence, and unanimity, reigned in the council; with a thorough determination to push the war with such vigour as would, under Providence, procure still further success.

Influenced by these just and dignified sentiments, Lord Egremont, in a dispatch to Lord Bristol, after due commendations on his moderation, and some pointed remarks on the intemperance of the Spanish secretary, observed, that the result of his inquiries was unsatisfactory; he was, therefore, expressly commanded, without loss of time, to demand an immediate, clear, and categorical explanation of the intentions of Spain, and assure M. Wall, in explicit terms, that any procrastination, ambiguity, or evasion, would be considered sufficient ground for authorising His Majesty to take proper measures for the honour of his crown, and protection of his people. At the same time, Lord Bristol was directed cautiously to avoid harshness of manner, and not to mix any thing in his conversation which could have the least tendency to indispose or irritate the Spanish minister, as the King's

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III.

1761.

Conduct of
the British
ministry.

19th Nov.

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1761.

desire of peace was sincere, and the continuance of it would give him unbounded satisfaction.

This dispatch, which Lord Bristol was instructed to use as he should think proper, was accompanied by two others, in which was directed, if he did not receive the satisfaction required in the letter of the 28th of October, or the explanation which he was then permitted to take *ad referendum*; or if the Spanish minister should acknowledge any agreement with, or any intention of joining, France in the war; to quit Madrid without taking leave. And he was directed to signify to M. Wall, that a peremptory refusal of giving satisfaction, or of disavowing any intention to take part with our inveterate and declared enemies in the present contest, could not be considered by His Majesty in any other light, than an aggression, and an absolute declaration of war.

Preparations
in Spain.

Meanwhile great exertions were made throughout Spain for increasing the military and naval establishments, and large quantities of warlike stores were embarked for the West Indies. Lord Bristol, continuing to press for satisfaction on the subject of the treaty, had succeeded in restoring M. Wall to his accustomed temper; and assurances of pacific dispositions were reciprocally given. The King's speech at the opening of the session of Parliament, and the address of the House of Commons, were communicated to the Spanish minister, who highly approved of the patriotism, moderation, and wisdom which they displayed.

21st Dec.

Still no satisfaction could be obtained on the principal subject of inquiry. In a memorial transmitted from Spain to the Conde de Fuentes, ambassador in London, and delivered by him to Lord Egremont, the claim of Great Britain to be informed of the nature of the treaty, and the manner in which that claim had been urged, were treated with great loftiness.

3rd Dec.
Conduct of
M. Wall.

Soon after receiving the dispatches of the 28th of October, Lord Bristol held a conference with M. Wall, who assumed a cold and distant deportment, treating the assurances of a pacific disposition with disregard; and observing, that although such expressions could

never be received but with sincere satisfaction, yet, as the British ambassador had been so often directed to hold the same language, unaccompanied by any proofs of those dispositions, it could not seem extraordinary if Spain still pressed for the redress of grievances so long depending. With regard to the treaty, he said, his royal master deemed it inconsistent with his dignity, either to grant a communication, or satisfy British curiosity in relation to any of the articles; yet he added, as from himself, he could, with the utmost facility, give a positive answer to Lord Bristol's inquiry.—Here he abruptly terminated his discourse, nor could Lord Bristol obtain any satisfactory assurance, but received, instead, a copy of M. Wall's dispatch to the Conde de Fuentes.

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III.

1761.

These circumstances made a strong impression on the mind of the British ambassador, and he was preparing dispatches on the subject, when he received Lord Egremont's last official letters, and immediately waited on General Wall, who was confined to his chamber, stating the effect which his angry declarations had produced in London; but, availing himself of the discretionary power with which he was intrusted, he dwelt only in general terms on the intentions of Spain with regard to England. The reason he gives for this conduct marks his good sense and moderation: "I perceived General Wall's tone to be of so conciliating a nature, he expressed his wishes so strongly that some method might be found for an amicable adjustment, and was so far from dropping the least word that could make me imagine Spain intended to act hostilely, that I began to flatter myself I might obtain the categorical answer I was instructed to demand, without the Spanish minister's suspecting my ultimate orders. When I was going out of his room he took me by the hand, and said, with a smile, he hoped ———; but there he stopped. I asked him what he hoped, that I might also hope, and that all might concur in the same hopes? but his Excellency only bowed, and took leave."

Lord Bristol's final interviews with Wall.

5th Dec.
6th.

These pleasing illusions vanished the next evening,

7th Dec.

CHAX.
III.

1761.

when Lord Bristol received from the hand of M. Wall, a communication of the King's answer in writing, expressing, in general terms, esteem for the King, and referring to the dispatch to Fuentes; and this was declared to be the only answer the Catholic King judged it expedient to give. Lord Bristol reminded the Spanish minister of the pressing endeavours he had employed to procure a satisfactory explanation; and observed, that as he found himself unable to obtain a communication of the treaty, or the alternative which he had proposed, he was now authorized to ask,—Whether the Catholic King intended to join the French, or to act hostilely? or would in any manner depart from his neutrality? To these interrogatories he required a categorical answer; adding, that a refusal would be deemed an aggression, and a declaration of war.

The minister was unprepared for this resolute appeal. "I cannot describe," Lord Bristol says, "the surprise M. Wall expressed. He only brought out these words, What is to follow? you are then directed to withdraw from hence?" The ambassador acknowledged that such were his orders, but omitted no representation which might induce Spain to prevent the miseries of war, and even pressed M. Wall to conquer the effects of his indisposition, so far as to attend the King himself, and set forth the fatal consequences which must result from withholding a precise reply.

Lord Bris-
tol leaves
Spain.

10th Dec.

Lord Bristol's demand being reduced to writing, M. Wall, in conformity to his advice, attended the King, and returned for answer, that the spirit of haughtiness and discord which dictated this inconsiderate demand, and which, for the misfortune of mankind, still reigned so much in the British government, was what made, in the same instant, the declaration of war, and attacked the King's dignity. Lord Bristol was allowed to retire when and in what manner might be most convenient, and no other answer was to be given.

Memorial of
De Fuentes.

These transactions were announced to De Fuentes from his court, with directions to depart from London: but he first delivered a memorial to the British ministry, declaring that the horrors into which the two nations

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III.

1761.
15th Dec.

were going to plunge themselves, must be attributed only to the pride and unmeasurable ambition of him who formerly held the reins of government, and who appeared still to hold them, although by another hand. He justified the King of Spain for not giving an answer respecting the treaty, on account of the insulting manner in which all the affairs of Spain had been treated during Mr. Pitt's administration; that minister, he said, finding himself convinced of the justice which supported the Catholic King's pretensions, vehemently asserted, "that he would not relax in any thing, till the Tower of London was taken sword in hand." De Fuentes voluntarily declared the obnoxious treaty had no relation to the present war: and, although His Catholic Majesty had reason to be offended by the irregular manner in which the memorial was returned to M. de Bussy, he had dissembled, and, from his love of peace, caused one to be delivered to Lord Bristol, evidently demonstrating that the proceedings of France, which occasioned so much ill-humour in the minister Pitt, did not affect the laws of neutrality, or the sincerity of the two sovereigns.

The King of Spain had offered to waive the Family Compact for the present, if it was found an impediment to peace; but when the French minister continued his negotiation without mentioning Spain, and proposed conditions greatly to the advantage and honour of England, Pitt, to the astonishment of the universe, rejected them with disdain, and shewed his ill-will against Spain, to the great scandal of the British council.

This feeble attempt to create discord in the cabinet, and excite discontent in the nation, failed in producing those effects: It was answered in a masterly manner by Lord Egremont. War was declared against Spain, and a counter declaration issued in that country*.

War declared
against Spain.
31st Dec.
2nd Jan.
1762.
16th Jan.

It is easy to perceive, from the conduct of this negotiation, that Spain was desirous to avoid war;

* Papers relative to the rupture with Spain. The transactions thus minutely recorded, shew that Great Britain was not open to censure, on the one hand, for wantonly and unnecessarily engaging in a war; or, on the other, for deferring hostilities till it was too late to prosecute them with effect.

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III.

1762.

but, duped by France, adopted those measures which could not fail of producing it. Spain, anxious that the power of France should not be too much reduced, would have attacked Great Britain in order to obtain favourable terms of peace, if she could have hoped to do it with advantage. But the Spanish minister was not convinced that that period was arrived: even his anger bore the characteristic marks of fear and precipitation, and his most violent declarations seemed to be produced less by hope than despair. France, by the terms in which the claims of Spain had been mentioned in the course of the last treaty for peace, succeeded in exciting a jealousy of the court of Madrid; and the colour given to the Family Compact completed the mistrust, and roused the vigilance of the British court. Nothing remained but to exasperate the two countries to a sufficient degree. To inflame the courage of Spain, the King of Prussia's affairs were represented in the most unfavourable light; and the admonitions of prudence were repelled by assurances that Great Britain would never dare to contend against the united efforts of the house of Bourbon. The Family Compact obliged Spain to guaranty the safety of all such possessions as should remain to France after the war*; and, to give the utmost beneficial effect to the treaty, the court of Versailles, with crafty policy, instantly involved Spain as a principal in the contest.

Conduct of
Spain to-
wards Por-
tugal.

Spain, having thus thrown herself into the arms of France, adopted all measures calculated to forward the interest of her ally. It was hoped that, by producing a rupture with Portugal, Spain would have the tempting inducement of an easy conquest to engage with spirit in the war; and the injury done to the commerce of Britain would more than counterbalance those advantages which made the English ministry insist on terms which were deemed so humiliating, as the price of peace†.

As there was no pretence of justice for this attack, little attention was paid to appearances in the mode

* See Article II.

† Œuvres du Roi de Prusse, vol. iv. p. 59.

of commencing it. Large armies were assembled on the frontiers of Portugal; and the commerce of corn with Spain was prohibited. The Spanish ambassador and French plenipotentiary suddenly delivered a joint memorial to Joseph, King of Portugal, stating that the two monarchs had found it proper to establish reciprocal obligations, and take other indispensable steps to curb the pride of Britain; and the first measure they agreed on was, to include the Most Faithful King in their alliance; they, therefore, required him forthwith to declare himself united with their Catholic and Most Christian Majesties, in the war against England, and to break off all correspondence and commerce with that power, as the common enemy of all three, and of all maritime nations. A categorical answer was demanded in four days, and a delay was to be considered as a negative.

On this memorial it is unnecessary to make a single comment: in the language of Mr. Pitt, "it speaks its own enormity." Within the time limited, the King of Portugal returned an answer, declining, with decent firmness, all interference in the existing quarrels, unless his perseverance in the line of neutrality should entitle him to the character of mediator: he displayed his motives with candour and temperance, and in the whole paper gave not the slightest instance of irritation, or ostentatious inflexibility. The Bourbon ministers, in reply, attempted, with despicable sophistry, to invalidate the subsisting treaties between Great Britain and Portugal, and to convince His Most Faithful Majesty, that justice, no less than interest, ought to induce him to engage in the war. The answer to this insidious and insolent paper breathes the spirit of an indignant monarch: after refuting the arguments adduced, the King concludes, "His Most Faithful Majesty declares, finally, that it would affect him less (though reduced to the last extremity, of which the Supreme Judge is the sole arbiter) to let the last tile of his palace fall, and see his faithful subjects spill the last drop of their blood, than to sacrifice, together with the honour of his crown, all that Portugal holds

CHAP.
III.

1762.

16th Mar.

Portugal
compelled to
declare war.

20th Mar.

1st April.

5th.

CHAP.
III.

1762.

23rd April.

25th.

27th.

18th May.

16th and

20th June.

“ most dear, and submit, by such extraordinary means,
 “ to become an unheard-of example to all pacific
 “ powers, who will be no longer able to enjoy the be-
 “ nefit of neutrality, whenever a war shall be kindled
 “ between other nations, with which the former are
 “ connected by defensive treaties.” This resolution
 decided the allied monarchs, who concluded an angry
 memorial by requiring passports for their ambassadors.
 The King of Portugal delivered a justificatory paper ;
 the safe-conduct was guaranteed ; the ambassadors de-
 parted ; and war was, on both sides, formally declared.

CHAPTER THE FOURTH.

1762.

Proceedings in Parliament.—Motion for papers.—Assistance granted to Portugal.—Conduct of Mr. Pitt.—Of Colonel Barre, a new member.—Prorogation.—Disunion of the cabinet.—The Duke of Newcastle resigns.—Lord Bute's ministry.—He discontinues the Prussian subsidy.—Course of proceedings on that subject.—Friendly treatment of the King of Prussia during the negotiation with France.—Disputes with him.—Death of Elizabeth Empress of Russia.—Peter III. friendly to the King of Prussia.—Peace between Russia and Prussia.—Report of Lord Bute's clandestine negotiations with Russia and Austria, examined and refuted.—Revolution in Russia.—Disposition of Catherine II.—The King of Prussia retakes Schweidnitz.—Cassel taken.—Expedition against Martinico.—Capture of Grenada and its dependencies.—The French take the town of St. John's, Newfoundland: which is recaptured.—War in Portugal.—Rapid success of the Spaniards.—Arrival of the British troops.—General Burgoyne takes Valencia.—Beats up the enemy's quarters at Villa Velha.—Retreat of the Spaniards.—Expedition against the Havannah.—Progress and success of the siege.—Expedition against the Philippine Isles.—Manilla taken.—Capture of the Santissima Trinidad, and of the Hermione.—Unsuccessful expedition against Buenos Ayres.

WHEN Parliament met after the recess, the King, in a speech from the throne, informed the houses of the rupture with Spain, and with great force and propriety exculpated himself from all blame in the transaction. The House of Commons made a dutiful answer, and promised their firm support.

CHAP.
IV.

1762.

19th Jan.
Proceedings
in Parlia-
ment.

CHAP.
IV.

1762.

Motion for
papers.

Before the recess (11th December), a motion was made in the House of Commons to address the King for copies of all memorials delivered by the Spanish ambassador; and as it was supported by Mr. Pitt, his conduct in resigning was rendered an object of discussion. He insisted that every paper which had passed during the six years' negotiation with Spain, relative to the existing disputes, should be laid before the house; but the proposal was rejected.

Motions to the same effect being renewed, the same topics were necessarily introduced: Lord Temple vindicated the conduct of himself and Mr. Pitt in resigning, and intimated that a knowledge of the existence of the Family Compact was the foundation of their advice. Lord Bute, positively asserting that there was no intelligence of such a fact, so constituted at that time as to be depended on, challenged him to produce it, and required to know where it might be found, that he might request the King to order it to be laid before the house. Lord Temple, quitting his seat, said he was not at liberty to publish that intelligence, but would refresh his Lordship's memory in private. A short whispering took place between the two peers. It is averred, on the one hand, that Lord Bute was perfectly satisfied of the correctness of Lord Temple's assertion; on the other, and with more appearance of probability, that the result of their conversation was not productive of such conviction. It naturally occurs on such an occasion to ask, why Lord Temple did not justify himself in his place? why he did not persevere in stating to the whole house that he had the means of proving what he advanced, if Lord Bute would procure His Majesty's dispensation from the effect of his oath as privy-counsellor? It is even averred, that the assertion which gave rise to this extraordinary scene was often repeated in the course of the debates on the production of papers; but never, in any manner repelled by Lord Temple*. The papers were laid before Parliament, and printed.

29th Jan.

* See History of the late Minority, p. 33. The contrary statement is taken from a paper of memorandums among the MSS. of Lord Melcombe.

The conduct of the war did not escape animadversion. When the King's speech came under consideration, a motion was made by the Duke of Bedford, reprobating the expense of campaigns in Germany; affirming that the French force was greatly superior to any that could be maintained by Great Britain; and recommending that the troops employed abroad should be brought home for the protection of Great Britain and Ireland, and for the purpose of diminishing the national burdens. Of the arguments by which this question was supported or opposed, nothing is preserved, beyond a note or memorandum by the Earl of Hardwicke*. From this it appears that the noble mover made an able and statesman-like speech. He maintained that a continental war is never proper for England, unless supported by a grand alliance; that we were without an ally, for the King of Prussia, not being at war with France, could not be so considered; nor did France wish to crush him. His Grace also considered our superiority at sea as a better diversion of the enemy's force than could be effected in Germany, and adverted to the difficulty of raising men, and the enormous load of the national debt; it was upwards of seventy millions, and, therefore, measures which would otherwise be prudent and right became destructive.

In answer, Lord Bute said, that were he to consult only his own security, he might, perhaps, shelter himself under such a resolution; but the motion was more than improper; even to enter into it was highly dangerous. "The nations of Europe," he said, "stunned with this league of Bourbon, have not had time to convey their sentiments to us. To recall our troops at this juncture would be attended with disgrace, infamy, and destruction. Let us lessen our expenses, and, in due time, bring the war within a proper compass. But this is not the time."

Earl Temple made some pointed observations on the same side. The motion was negatived by a large

CHAP.
IV.

1762.

5th Feb.
Motion re-
specting the
war in Ger-
many.

* Parliamentary History, vol. xv. p. 1217.

CHAP.
IV.1762.
Assistance
granted to
Portugal.
11th May.

majority*; but it occasioned a strong protest, which was subscribed by seven peers†.

The progress of French and Spanish aggression against Portugal, having determined the King to afford the assistance due to the merits and necessities of so faithful an ally, a message was delivered to the House of Commons, requesting them to enable His Majesty to defray any extraordinary expenses of the war, and take necessary measures for defeating the enterprises of the enemy.

13th May.

The ministry proposed a grant of a million; but it was objected, that the sum was too large for the supposed purpose, and the King of Portugal had no right to expect any assistance from Great Britain, because he had violated his engagements with the English wine-merchants. Mr. Pitt, with great spirit and propriety, argued in favour of the supply; vindicated the King of Portugal; and asserted that the sum intended was not more than sufficient. He defended the conduct of the German war; and ridiculed the notion of Great Britain being rendered incapable of prosecuting the contest for want of resources. France, he affirmed, was a ruined nation; and if his advice had been adopted, one campaign would have sufficed to bring the war to a fortunate conclusion. After some further observations, mostly of a personal nature, the sum required was voted.

Conduct of
Mr. Pitt.

It is observed, that in all the discussions which arose in the House of Commons, Mr. Pitt observed a scrupulous forbearance from any conduct which could have the appearance of forming or of joining a party. His speeches were merely to justify himself, and not to inculcate any one; to satisfy the country that under him public affairs had been well administered, but not to excite odium against his successors, or create impatience for his return to power. When absent, some persons attacked him, and when present, he was

* Contents, 16. Non-contents, 105.

† A similar question was debated in the House of Commons (Dec. 9th), when the House was so crowded with visitors, that the members found difficulty in taking their seats. The order for excluding strangers was enforced during the remainder of the session.

doomed to endure reproaches made in a tone not usual in parliament, or generally tolerated in polite society. Colonel Barré, a native of Dublin, a man of humble extraction, but considerable eloquence, who had been brought into Parliament by the influence of Lord Shelburne, began his career with a ferocious invective, which the abilities, the reputation, and the age of the great man against whom it was uttered, equally rendered improper. Speaking of Mr. Pitt's manner in addressing the house, he said, "There would he stand, turning up his eyes to heaven that witnessed his perjuries, and laying his hand, in a solemn manner, upon the table—that sacrilegious hand that had been employed in tearing out the bowels of his mother-country*." Mr. Pitt did not condescend to reply, nor did the house interfere; but the impression he had made was shewn by the eagerness of members to quit their places when he rose, and the undisguised impatience of those who remained.

In closing the session, His Majesty mentioned the hopes he still entertained of seeing the conflicts which agitated Europe happily terminated; and assured Parliament he would return their zeal and affection for his person and government, by a constant attention to whatever might contribute to the ease of his subjects; and it was his ardent wish to found the glories of his reign on the union of his people, and the welfare and prosperity of his kingdoms.

Since the retreat of Mr. Pitt, the ministry had preserved no appearance of unanimity. Great jealousies subsisted between the Duke of Newcastle and Lord Bute, occasioned no less by the desire of pre-eminence than by a radical difference of principles and politics. The Duke of Newcastle, on his entrance into public life, enlisted under the banners of party, and was supported through the long period of his ministerial career by party and family alliances: Lord Bute, pur-

CHAP.
IV.

1762.
Of Colonel
Barré.

2d June.
Prorogation.

Disunion of
the Cabinet.

* Letter from Mr. Symmer to Sir Andrew Mitchell, 29th Jan. 1762; Mitchell Papers, v. 6839, fo. 200; also, Correspondence of Lord Chatham, vol. ii. pp. 170, 171, 177, where the Mitchell Papers are quoted.

CHAP.
IV.

1762.

suing, or perhaps directing the system of his sovereign, was desirous to free the throne from exclusive domination, and to acquire independence by resisting claims derived from family and adventitious connexions. The Duke of Newcastle, habituated to Mr. Pitt's ascendancy, bore it, if reluctantly, but without resistance; but could not endure to be considered inferior to Lord Bute. For this reason, while the people carried their idolatry of the late minister to the greatest height, and attributed to his foresight all the successes which adorned the annals of the new administration, those men in office who, from situation and character, were best able to counteract the effect of these reports, surveyed their progress with indifference, and if not actually in league with the opposition, yet formed a combination among themselves, which left Lord Bute weakly supported to struggle against the united efforts of a party formidable from numbers, abilities, and popularity*.

The means of prosecuting the war, formed a principal ground of difference between Lord Bute and the Duke of Newcastle. Lord Bute wished to withdraw or diminish the pecuniary support afforded to the King of Prussia, and to relax the efforts which this country was making on the continent of Europe. The Duke of Newcastle, having resolved on an opposite mode of conduct, waited on Lord Bute, and firmly insisted on two millions for carrying on the German war, and paying the King of Prussia's subsidy. Lord Bute shewing himself averse to the measure, the Duke of Newcastle declared his intention to resign, unless the money was raised. His Lordship answered, drily, "that if he resigned, the peace might be retarded; but" "never requested him to continue in office, nor said a" "civil thing to him afterwards while they remained" "together. The Duke went immediately to St. James's, demanded an audience, and announced his unalterable resolution to relinquish his station, if the subsidy to Prussia was not continued. The King replied, "he should regret such a determination, because he

* Letter from Lord Melcombe to Lord Bute, 13th April, 1762.

“ was persuaded that he wished well to his service ;
“ and thus the conference ended*.”

CHAP.
IV.

The Duke of Newcastle immediately resigned ; a pension was offered as the only reward in the power of government “to bestow for his long services, and the diminution of his large estate in the uniform support of the house of Brunswick ; and this His Majesty declared he considered merely as a debt due to his grace. With dignified magnanimity, the duke answered, that in office he never considered it profit, and out of employment, he could not endure the thought of being a burthen and a charge upon the crown. If his private fortune had suffered by his loyalty, it was his pleasure, his glory, and his pride, and he desired no reward but His Majesty’s approbation†. Lord Bute took his situation at the head of the treasury ; Mr. Grenville was appointed secretary of state, and Sir Francis Dashwood chancellor of the exchequer.

1762.
2nd May.
The Duke of
Newcastle
resigns.

26th May.
Lord Bute’s
ministry.

A change, which took place in the sentiments and conduct of Great Britain and Prussia toward each other, was productive of important consequences, and demands particular observation. At the time of the King’s accession, the affairs of Frederick were in a most distressing position ; his enemies powerful, numerous and determined, encompassed and appeared able and resolved to overwhelm him. His mighty genius and persevering resolution, aided by some propitious turns of fortune, enabled him to escape destruction ; and the aids he received from England were among his most effectual means of support. George the Second, anxiously solicitous for his Hanoverian dominions, and participating heartily in the sentiments felt by members of the Germanic body, entered, with zealous devotion, into the cause of the King of Prussia, or rather identified his interest with his own. George the Third, on

Transactions
with Russia.

* This account is taken from a letter written by the Duke of Newcastle to Lord Hardwicke, 7th May, 1762.

† Letter from Lord Barrington to Sir Andrew Mitchell, 1st June, 1762. Papers No. 6834, fol 37. His Grace’s conduct on this occasion must impart a feeling of pride, not only to those who bear his name or love his family, but to all who can appreciate the true spirit and dignity of an English nobleman. For a description of the duke, and observations on his character, see Lord Walgrave’s Memoirs, pp. 12, 14.

CHAP.
IV.

1760.

the contrary, slightly attached to his German territory, uninfluenced by particular or local attachments to electors or other princes, and, solicitous chiefly for the prosperity and honour of his British subjects, viewed the war, not as a field of glory alone, but as a tract through which he must pass to an honourable and advantageous peace. While, therefore, he earnestly desired a termination of hostilities conformable to these views, he saw and embraced the necessity of prosecuting war, as it had before been carried on; and contributed to it his best assistance, both active and pecuniary. On these principles were framed His

Nov. 10.

Majesty's first declaration to his privy council, and his first speech to parliament, and his minister at the court of Berlin expressed, by his direction, his firm resolution to improve and augment the friendship and good understanding so happily established between the two crowns, and vigorously to prosecute the war, for the purpose of obtaining, in concert with his allies, a firm and honourable peace*. Frederick, in answer to Sir Andrew Mitchell, declared it to be the aim of his proceedings to disgust the French with their present alliance, and his expectation, that, if Prince Ferdinand could strike an important blow, the French, dissatisfied at having always to re-commence their task, would think seriously of disposing themselves to a treaty of peace with him and England conjointly†. In the trial of this experiment, it soon became obvious that France

Dec. 11.

might treat for a separate pacification with England alone, but not with her and Prussia together; and to this he declared he should have no objection, provided France were to accept and promise a perfect neutrality; to evacuate and restore the possessions acquired in Westphalia; and engage, neither directly nor indirectly, to give any assistance to the Empress Queen or her allies, beyond twenty-four thousand men, or an equivalent in money, as agreed in the treaty of Versailles‡. This kind of stipulation he had a right to propose, in

1761.
Jan. 3rd.

* Mitchell Papers, No. 4325, vol. v. fo. 140.

† Idem, fo. 153, 154.

‡ Sir Andrew Mitchell to Lord Holderness, 3rd Jan. 1761, Papers, fo. 157.

virtue of a compact still subsisting*, in which the two powers bound themselves not to conclude any treaty of peace, truce, or neutrality, or any other convention, with powers who had taken part in the war, but in concert and by mutual agreement, and comprehending each other by name.

After the King's accession, the subsidy to Prussia, amounting to six hundred and seventy thousand pounds, had been paid without diminution or deduction; but when this suggestion of a separate peace was made, and questions arose as to its future amount, Frederick intimated, that if he were to take upon himself the whole expenditure, he believed that, by his economy, a considerable saving might be effected; he was sorry to become a burthen upon his allies, and would prepare an estimate; he supposed that, with forty thousand men under Prince Ferdinand, he could make head against the army of the Empire with their twenty-four thousand French auxiliaries†. After some delay, and not without expressions of surprise that a statement should be required, after his declarations that necessity alone induced him to accept any aid, he answered, that as an application from the King to Parliament must necessarily be accompanied with a full and clear explanation, less than thirty thousand men would not be sufficient; and for their maintenance, according to his calculation, nine millions of crowns, or rix dollars, would be wanting. Even this large sum, he said, would not have availed in his present circumstances, but for the King's promise of a part of his electoral troops, and of his influence with the Landgrave of Hesse. In communicating this proposal, the British minister could not restrain an expression of surprise, considering that, some time ago, an estimate had been transmitted to the Prussian ministers in London, in which the estimate for forty thousand men was placed at rather less than six millions of crowns or rix dollars‡.

Mar. 10.

* Made in 1758, and renewed from time to time. Jenkinson's Collections, v. iii. p. 62.

† Same Dispatch.

‡ Sir Andrew Mitchell to Lord Holderness, same Papers, fo. 183.

CHAP.
IV.

1761.

Jan.

Although Mr. Pitt was then in office, and not less than at any previous period disposed to favour the King of Prussia, this extravagant demand could not, for a moment, be sanctioned: some excuse for making it may be found in the distressed state of Frederick's circumstances, already alluded to. He was obliged, without remorse, to try all means which rapacity could suggest or violence enforce to obtain money from the countries under his dominion or subject to his arms. The exhausted and depressed state of his subjects in Brandenburg, Silesia, and other provinces, afforded no hope of drawing succours from them. He had made a demand on Leipsic for two millions of crowns, and, to enforce it, fifty or sixty of the principal merchants were put under military arrest; the demand was mitigated to eleven hundred thousand crowns; but as even that sum could not immediately be supplied, the unfortunate victims were retained as hostages*.

Another act of violence in the way of pecuniary extortion, brought his interests into immediate collision with those of England. In the course of his exactions in Saxony, he had claimed supplies from the possessors of lands in the Comté de Mansfeld, the bailliage and village of Sangerhausen, and some other territories, which had been mortgaged to George the Second. To the claim made by Sir Andrew Mitchell, for exempting these lands from contributions, the King gave a reasonable answer. He admitted the justice of the demand, and apologized for any irregularity which the confusion of the times might have occasioned; promised redress, and, in apparent performance of this promise, referred the matter to commissioners, forming what was called the great war directory; of whom and their proceedings the English minister gives this description: "they have not the least feeling for honour, humanity, truth, or good faith. In a word; suppose the whole body of attornies in England assembled, and four of the most abandoned of them to be picked out, they could not, in the management of an affair, have exerted more tricks and chicane than the

* Mitchell Paper, No. 228, fo. 162.

" Prussian commissioners have done. The demands
 " of contributions of all sorts," he adds, " made by the
 " Prussians in Saxony are most exorbitant, and far
 " exceeding the abilities of the country to comply with ;
 " so that many of the subjects are now actually under
 " military execution equally ruinous to the country,
 " and to the officers employed on that service, who,
 " when they have once tasted the sweets of plunder,
 " cease to be soldiers*." The King himself admitted
 to Sir Andrew Mitchell, that the commissioners were
 scoundrels and robbers†.

CHAP.
 IV.

1762.

When the ineffectual attempt at a separate treaty
 with France was in progress, regular communication
 was made to the King of Prussia. He was consulted
 on the state papers which had appeared, and on those
 intended to be published, and constantly expressed his
 satisfaction at our proceedings, with cautions against
 being amused, and permitting our activity to be sus-
 pended by the low, deceitful, and collusive arts of M.
 de Bussy and the Duke de Choiseul. When the ne-
 gotiation failed, and Mr. Pitt resigned, the strongest
 assurances were conveyed to Frederick that the change
 in the ministry would produce no alteration in His
 Majesty's measures respecting the general affairs of
 Europe, as he was resolved, since France had rejected
 moderate and equitable terms of peace, to press the
 war against her by land and sea with all possible
 vigour and activity‡.

Friendly treat-
 ment of the
 King of Prus-
 sia.

Still it was evident that feelings of dissatisfaction
 and estrangement were growing up between the two
 governments. The complaints respecting the ravages
 in the mortgaged lands continued ; the conduct of
 Messrs. Knyphausen and Michell gave great offence,
 and was the occasion of many remonstrances ; the
 discussions on a future subsidy were embarrassed and
 rendered difficult by an additional reserve and distance
 on the part of Frederick. He was unwilling to state

Disputes be-
 tween the
 two powers.

* Mitchell Paper, No. 223, fo. 163 ; see also No. 221, fo. 162, 184, 185 ;
 No. 167, fo. 187 ; No. 286, fo. 281, et passim.

† Des faquins et des voleurs.

‡ Same Papers ; Letters of 18th August and 24th October, 1761, fo. 224,
 286.

CHAP.
IV.

precisely the amount of his demand; in case of a separate peace, a sum of five millions of crowns was proposed; but the letter was so worded as to leave a doubt, whether or not that sum was to include the four millions already allowed; if so, Sir Andrew Mitchell observed it would be scanty, considering the King of Prussia's losses during the last campaign; but if it were added to the former grant, it would be great and generous, surpassing what could reasonably be expected from an ally. Great objections were expressed to a subsidy altogether pecuniary, as the troops of Hanover and Hesse would have been more beneficial; but as this proposition could not be acceded to, the King consented to take four millions*. In making his demands, the King of Prussia could allege the extreme urgency of his circumstances and the pressure of his just apprehensions. Events which afterward took place impelled the English ministry to their final decision. They knew that the Prussian ministers in London were acting in an irregular and dishonourable manner, by paying their court to a party adverse to government, and transmitting untrue and injurious statements to their own and to other countries†; and, above all, they felt that the enormous supplies required for the prosecution of the extended and costly operations, rendered necessary by the addition of a new enemy, would ill admit of any avoidable increase of the national burthens. In conclusion, it was resolved altogether to withhold the subsidy.

Death of the
Empress of
Russia.
January 5.

Had the situation of the King of Prussia been as desperate at this period as at the end of his last campaign, policy, justice, and even humanity, would have been equally repugnant to this determination; but an incident which human foresight could not divine had ameliorated the condition of Frederick, and afforded him hopes of retrieving his former losses: this was the decease of Elizabeth, Empress of Russia, one of his most formidable enemies. She died in a state of

* Sir Andrew Mitchell to Lord Bute, 12th December, 1761; Papers 6809, fo. 17, 34, 45, 50.

† Same Papers, 14th April, 1762, fo. 90.

unmitigated hatred towards him, and earnestly recommending the vigorous prosecution of the war*. Her nephew and successor, Peter, who, from motives of jealous policy, had been kept at a distance from the court, was not forward to follow this advice. His understanding was below mediocrity, his habits dissipated and indolent, and he entertained toward the Prussian monarch, not merely a friendly attachment, but a puerile fondness, which displayed itself in many ridiculous extravagances. His title to the throne was not universally admitted by the Russians; many preferred the claims of Prince Ivan; plots were supposed to be forming at Petersburg in his favour; and, from a suspicion that the French were favourable to these pretensions, Peter adopted a hearty dislike to that nation. His affection for Frederick had been displayed, during the war, by refusing to join in the celebration of victories obtained over him, magnifying and exulting in his successes, and deploring and extenuating his failures. On his accession to the imperial throne, Peter expressed his favourable sentiments without reserve, wished for an immediate intercourse, desired that a military man should be deputed to prepare the way for a negotiation, and expressed a wish to be decorated with the Prussian order of the Black Eagle. The King of Prussia lost no time in availing himself of these favourable circumstances, but chose to throw about his proceedings a veil of mystery, useless for every purpose except that of deceiving the ministers of England. He applied to Sir Andrew Mitchell for passports to Petersburg; but, although he had positively determined to employ Colonel Goltz, obtained them in blank—an ostentation of friendly confidence, which was followed by a system of determined estrangement and reserve during all the transactions which ensued. A negotiation speedily commenced; a treaty of peace was signed, and an alliance afterward entered into, in consequence of which the army under

16th March.

* Tooke's History of Russia, vol. ii. p. 331.

CHAP.
IV.

1762.

5th May.
Peace con-
cluded be-
tween Rus-
sia and
Prussia.

Czernichef, amounting to twenty thousand men, was transferrèd to the service of Frederick*.

The refusal of Lord Bute to continue the Prussian subsidy has been severely arraigned, and many false representations made of his conduct and motives. It is asserted that, soon after the accession of Peter III. he empowered Prince Gallitzin, the Russian envoy extraordinary, to inform his sovereign, that whatever cessions he might require from Frederick, England would ensure compliance; and advised the new Emperor to keep the King of Prussia in check, by means of the corps under Czernichef. Peter, the same accounts add, indignant at this duplicity, transmitted the dispatch to the King of Prussia. It is also averred, that similar overtures were made to Austria, but failed through one of those refinements in policy which often lead statesmen into mistakes. Kaunitz, the Imperial prime-minister, apprehending that Lord Bute's view in making these proposals was to create dissensions between the courts of Vienna and Versailles, haughtily answered, that the Empress Queen was sufficiently powerful to do justice to her own claims, nor would she degrade her dignity by acceding to a peace meditated by England†.

Both these accounts are absolutely devoid of foundation. At the conclusion of the last campaign, the disadvantageous circumstances of Frederick were truly commiserated by the King; and it was resolved to afford him the usual succours. The terms of the former treaty were open to some objections, but the substance was not disputed. The negotiations on this subject were carried on till the beginning of 1762, when war was declared against Spain, and the necessity of defending Portugal was foreseen. The British ministry then directed Sir Andrew Mitchell to recommend, in the King's name, that His Prussian Majesty should endeavour to commence a pacific negotiation

* Œuvres du Roi de Prusse, vol. iv. c. 15; Coxe's Travels in Poland, Russia, &c. vol. iii. c. i.; Life of the Empress Catherine II. vol. i. c. ii.; Mitchell Papers.

† Œuvres du Roi de Prusse, ubi sup.; see also History of the late Minority, c. v.

with the court of Vienna; he was desired to communicate the terms on which he would be willing to treat, with an assurance of the King's desire to assist in bringing so salutary a design to perfection. The King of Prussia was also requested to state the means on which he could rely, after so many misfortunes, and such a diminution of his power, for carrying on the war, if that were his intention. This explanation, though anxiously expected, was still refused: the King, hurt at a silence so unexpected and unjustifiable, made his complaints on the subject, but still persevered in the intention of applying to Parliament, at a proper time, to renew the subsidy.

CHAP.
IV.
1762.

Mr. Pitt.

February.

In this interval, news arrived of the death of Elizabeth, which was speedily followed by a manifesto of Peter*, exhorting the King of Prussia's enemies to put a speedy end to the war, and declaring his own resolution of restoring to that Prince the conquests made by his predecessors. Still the British ministry waited for such a communication from the King of Prussia, as would justify them, at a time of such extreme difficulty, in applying to Parliament to increase the national burdens by a renewal of the subsidy; and it was not till after a long term of fruitless expectation, that Mr. Mitchell was directed to hold such language as would prepare Frederick for a total cessation of pecuniary succour.

April.

From the moment of the accession of Peter III. the King of Prussia had maintained a reserved and unfriendly behaviour towards Great Britain. He clandestinely entered into a negotiation with the Czar; the objects of which were extremely detrimental to the British interest, and prejudicial to the engagements of this country with Denmark. The intention of this treaty was, that Peter should guaranty to the King of Prussia the Duchy of Silesia; in return for which, Frederick was to assure to him the possession of Sleswick. A treaty was also effected between Prussia and Sweden, of which no communication was made to the

* Dated 28th February.

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English court; contrary to the compact between Great Britain and Prussia already alluded to, no stipulation was made respecting the war with France, and this, although the King of Prussia was fully aware of the engagements and strict connexion which subsisted between the court of Stockholm and France, and the indisposition and ill-will toward Great Britain which prevailed in Sweden*. While these negotiations were proceeding, and conducted with the utmost secrecy, the King of Prussia still directed his ministers in London to press for a continuance of his subsidy, although he knew that the measures in which he was engaged tended to counteract the pacific intentions of the King, to spread the flames of war, and increase the miseries of mankind.

The refusal to continue the subsidy was not resolved on till an armistice had been concluded between Russia and Prussia, and it had become extremely probable that Sweden would accede to the same measure.

Under such circumstances, Frederick had no right, according to his own declarations, to expect from this country any further pecuniary supplies. At an early period of the war†, he had stated to Mr. Mitchell, who officially communicated the information to Lord Holdernesse, then secretary of state, that if England would only engage to prevent his being attacked by Russia, he should have so little occasion for assistance, that he might even be ready to furnish a body of troops for the defence of Hanover. At the present crisis, Great Britain had a powerful additional enemy; Prussia a new and potent friend: the weight of Russia and Sweden was subducted from the scale of his opponents; that of Spain was added to ours: Frederick had Pomerania and Brandenburg, which were no longer in danger, to defend, beside Saxony and Silesia; England had to maintain an extensive war in Germany, and to provide for another in Portugal. This comparison could not escape the observation of the King

* Letter from Sir Andrew Mitchell to Count Finkenstein; Mitchell Papers 6809, fo. 174.

† June and July, 1756.

of Prussia, nor could he reasonably expect that, without a certainty of its being applied toward lessening the objects of war, it was possible to propose the subsidy to Parliament with any hopes of success.

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The accusations alleged against the British minister, respecting clandestine negotiations with the Emperor of Russia and the Empress Queen, are founded on total mistake, or, more probably, on wilful misrepresentation. Frederick, at the time, complained to the King of the reports which had reached him on the subject; and, although His Majesty did not think it suitable, either to his own dignity or that of the King of Prussia, to enter personally into such altercations, he permitted Lord Bute to explain the facts and set them in their true light.

In a dispatch written to Sir Andrew Mitchell for the express purpose of being communicated to Count Finkenstein, the Prussian prime-minister, Lord Bute termed the report of his endeavouring to enter into a separate treaty with Austria, a groundless and shameful falsehood, transmitted to the King from his ministers in England. This explicit and strenuous disavowal, proceeding directly from the prime minister of England, was quite sufficient to destroy the credibility of unauthenticated hearsays, which formed the only ground of the suspicion then entertained, and since perpetuated by the publication of Frederick's posthumous works.

26th May.

With respect to his supposed intimations to Prince Gallitzin, Lord Bute explained himself more amply, and in a manner abundantly satisfactory: he declared the reports which had reached the King of Prussia from the Russian envoy, to be in no respect conformable to the sentiments he had imparted; and imputed the misrepresentation either to mistake, failure of memory, or the known attachment of the Prince to the court of Vienna, which might induce him to give such a turn to his relation of Lord Bute's discourse, as he might think most likely to serve that interest.

Mr. Keith, the British minister at Petersburg, judged, from the particular coldness of the Czar, and from hints which he dropped, that something

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written by Prince Gallitzin respecting the King's disposition toward Frederick, had given him offence, and this intelligence the Russian monarch probably communicated to the King of Prussia, who had before been disposed, by the malignant and mischievous insinuations of his ministers, to give it, however incredible, implicit belief.

But, at the time of his interview with Prince Gallitzin, Lord Bute had before him his first dispatch to Mr. Keith, after the death of the Empress: his discourse with the envoy was perfectly conformable to that dispatch, which contained the King's own sentiments. Instead of advising Peter to continue his troops on the King of Prussia's territories, the King there expressed particular pleasure and satisfaction at their being ordered to advance no further, and counselled him to abstain from hostilities, and accept an armistice, if offered: far from desiring that the court of Russia should prefer an Austrian to a Prussian alliance, Mr. Keith was directed to execute certain instructions sent him by Frederick, which were not favourable to the Empress Queen.

The King of Prussia might probably take umbrage at the strong preference given in that dispatch to pacific measures, and at the restriction laid on Mr. Keith from concurring in any proposal tending to protract the war: this however was no secret instruction; for Mr. Mitchell was directed to make the same declaration, and shape his conduct by the same rule.

For the satisfaction of the King of Prussia on this point, Lord Bute transmitted to Sir Andrew Mitchell, *in extenso*, every sentence in the dispatch to Mr. Keith relating to the general affairs of Europe, or to the King of Prussia in particular. He forcibly displayed the extreme improbability of his holding to the Russian minister a language, not merely different from, but absolutely contradictory to, the orders he had just sent from the King to his own minister at that court; and of his declaring, or even insinuating, with those very orders in his hand, that His Majesty's sentiments

were diametrically opposite*. However clear and convincing these explanations were, they did not satisfy the mind of Frederick. His temper and the vicissitudes he had experienced, had rendered him capricious, positive, haughty, and intractable; and the result of the whole transaction was, to implant in his mind a hatred of England, which no circumstances could eradicate or abate. Yet all the blame of this estrangement must not be imputed to him. If he demanded too much in the negotiation for a subsidy, it is to be considered that he professed and felt a great horror at being considered as a pecuniary dependant, and advanced his proposal reluctantly, and after many urgent applications. In the progress of the affair, Sir Andrew Mitchell observes, that he cannot decide which party is the most to blame; both appear to have failed in one point, want of openness†.

Beside the advantageous change which had taken place in the politics of Russia, some other events contributed to restore the affairs of Frederick. The Empress Queen, confident of being able to achieve all her projects, and instigated by a spirit of parsimony never safely indulged in war, dismissed twenty thousand of her troops. The King of Prussia had also agreed to a cessation of arms with Sweden‡; and, being thus disembarassed, was enabled to enter on the campaign with a change in the scale of forces, amounting to sixty thousand men, in his favour; a greater advantage, as he himself observes, than he could have derived from gaining three pitched battles§.

7th March.

Such were the favourable circumstances under which Frederick began his operations in Silesia; but, before he had made any considerable progress, another change in the government of Russia deprived him, in

Revolution
in Russia.

* From two dispatches from Lord Bute to Sir Andrew Mitchell, dated 9th April and 26th May, 1762: see Appendix. It may be proper here to observe, that, although our minister at Berlin had not yet received the order which would constitute him Sir Andrew, I have always so designated him, among other reasons, to distinguish him, at the first glance, from Mr. Michell, the Prussian minister at the Court of London.

† Letter from Sir Andrew Mitchell to Mr. Keith, 21st April, 1762; Papers, No. 6809, fo. 92.

‡ Peace was concluded 22d May.

§ Œuvres du Roi de Prusse, ubi sup.

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part, of the benefits he expected. The Emperor, fascinated with the character of his friend the King of Prussia, and impelled by an absurd instinct of imitation, made him his model in every particular. Not content with joining him in war, he introduced the Prussian discipline into his army, and the Prussian, or, as it is called, Frederician, Code into his senate. He was obstinately bent on a war with Denmark; attacked the property of the clergy; and formed a project for repudiating his consort, marrying his mistress, and declaring his son illegitimate*. These acts rendered him highly unpopular; and self-preservation, as well as ambition, stimulated Catherine to a speedy and vigorous exertion. The feeble character of the Emperor facilitated her designs; the execution of his great projects required talents which he did not possess: a conspiracy was formed against him; he was deposed; signed an abject instrument of abdication; was imprisoned, treated with neglect and harshness; and, at length, privately assassinated†.

10th July.

17th.

The King of Prussia expected that this revolution would be highly prejudicial to his affairs, and that Catherine would entertain a hatred against him, proportioned to the friendship of Peter; but that Princess shewed no symptoms of a vindictive disposition; on the contrary, finding from the correspondence which came to her hands after her husband's dethronement, that Frederick had ever opposed his rage for reformation, and counselled him to treat his consort with due tenderness, she was sensibly affected. It was not consistent with her policy to disgust her subjects by compelling them to serve on the opposite side to that on

* See Coxe's *Travels in Russia*, &c. vol. iii. c. 1, which contains the earliest and most authentic account of this revolution.

† See *Life of the Empress Catherine II.* vol. i. c. 2; *History of the Revolution in Russia*, by M. de Rulhiere.—It is to be observed of this unfortunate Prince, that although his imprudence, levity, and pusillanimity, exposed him to censure and contempt, he possessed many amiable qualities, and rendered some essential services to his country. He declared his nobles free, and on a footing with those of the same rank in other countries; to improve them in the arts of social life, he permitted them to travel, and, for their advancement in military science, to enter into foreign service; he alleviated the burthens on his people by diminishing the duties on salt; lessened those in the Livonian ports, and instituted a bank for loans, in order to abate the pressure of exorbitant usury. *Tooke's History of Russia*, vol. ii. p. 317.

which they had been so many years engaged ; or give offence to the courts of Vienna and Versailles. She therefore declared her adherence to her husband's treaty of peace, but renounced that of alliance ; withdrew the Russian auxiliaries from the Prussian army, but restored the conquests which had been made by Elizabeth, and contented herself with observing a prudent neutrality. Frederick, although deprived of this assistance, made a successful campaign, recovered the fortress of Schweidnitz, and convinced his enemies that their project of destroying him was not advanced by all their exertions*.

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9th Oct.
The King of
Prussia re-
takes
Schweidnitz.

The campaign of the allied armies under Prince Ferdinand and the Marquis of Granby was brilliant and successful : they succeeded in preventing the French from obtaining possession of Hanover, and took from them the city of Cassel.

Cassel taken.

A continuance of the war produced no benefit to France ; the vigour with which hostilities were carried on shewed that the minister, who ardently desired peace, was sensible that it could be effectually obtained only by military success. A formidable land force of twelve thousand men, under the command of General Monckton, with a fleet of eighteen ships of the line, besides frigates and inferior vessels, under Rear-Admiral Rodney, sailed to attack Martinique, the chief of the French Leeward Islands, the residence of the Governor-General, and the sovereign council. On anchoring in St. Anne's Bay, the Reasonable man of war was lost, through the unskilfulness of the pilot ; and, the place being deemed improper for a disembarkation, two brigades landed at the bay of Petite Anse, and the rest of the army at a creek called Cas des Navires. The island, defended by a few regular troops, had a numerous and well-armed militia, and was in itself a natural fortification, from a number of ravines and rivulets with which it was intersected ; and the French, with great judgment, posted guards, and erected batteries to impede the progress of inva-

7th Nov.
Expedition
against Mar-
tinique.

5th Jan.

8th.

16th

* Œuvres du Roi de Prusse, vol. iv. c. 16.

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24th Jan.

4th Feb.

12th.

Capture of
Grenada, &c.
4th Mar.May.
The French
take the town
of St. John's,
Newfound-
land.
24th June.Which is re-
captured
18th Sept.War in Por-
tugal.

sion. As a preparatory measure to the siege of Fort Royal, the General attacked two eminences, called Morne Tortenson and Morne Garnier. The former was assailed with irresistible impetuosity, and, although defended with spirit and pertinacity, finally captured. Morne Garnier being equally strong, much higher, and overlooking and commanding the other, three days were employed in making dispositions for the assault, in which period the enemy made a furious sally on the English out-posts; they were repulsed, and the party attacked, passing the ravines, scaled the hill, seized the batteries, and obtained complete possession of the post. When the batteries against Fort Royal were completed, and General Monckton preparing to embark with his troops for the attack of St. Pierre, the capital of the island, the French surrendered by capitulation*.

After the capture of Martinique, Grenada, and the Grenadines, Tobago, St. Lucie, and St. Vincent's speedily surrendered; and the whole property of the Charibbee Islands centered in Great Britain†.

To counterbalance these advantages, France made only one temporary conquest. A squadron under M. de Tournay, escaping from Brest in a fog, entered the Bay of Bulls in Newfoundland, captured the town of St. John's, took prisoners a company of soldiers, who constituted the garrison; captured a sloop of war and several other vessels, destroyed the stages for curing cod, and did considerable damage. Orders were immediately issued for fitting out a squadron to reconquer the place; but Sir Jeffery Amherst had previously dispatched Lord Colville and Colonel Amherst from Halifax, who easily expelled the invaders‡.

When Spain was induced to enter into the war, a successful attack on Portugal was anticipated, as a compensation for the losses she might expect to sustain in other quarters. Portugal appeared entirely

* The thanks of Parliament were voted to the commanders on this expedition. See debates, 6th May, 1762.

† Beaton's Naval and Military Memoirs, vol. iii. pp. 149 to 164.

‡ Ibid. p. 204.

helpless and distracted; the feebleness of its government, the effects of bigotry, the melancholy remains of a dangerous conspiracy, and the horrors of a recent earthquake, all contributed to render this unhappy kingdom an object of generous compassion, rather than of unprovoked aggression.

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The vicinity of the Spanish troops to the frontier gave them great advantages; they passed the boundary before war was declared; and an army, commanded by the Marquis de Sarria, laid siege to the town of Miranda. A powder magazine blew up by accident, and, besides destroying five hundred of the garrison, made such breaches in the wall, that the Spaniards marched in without difficulty, before they had raised their first battery. Braganza and Moncorvo surrendered without resistance; Chaves was evacuated on the approach of Count O'Reilly; and Spain having overrun almost the whole province of Tra los Montes, Oporto was considered in so much danger, that the British Admiral was preparing to carry off the factory. The Spaniards, however, in attempting to cross the Douro, were opposed by the peasantry, and compelled to retire to Torre de Moncorvo*.

Rapid suc-
cess of the
Spaniards.

9th May.

15th.
24th.

A second body entered the province of Beira, at the villages of Val de Mula and Val de Coelha, and being joined by strong detachments from the division in Tra los Montes, laid siege to Almeida, which, after an honourable resistance, capitulated on favourable terms.

25th July.

25th August.

As there was no officer in the service of Portugal of sufficient skill and reputation to undertake the defence of the kingdom, and as it was to be expected that people so bigotted as the Portuguese would not readily submit, even for their own good, to be commanded by a heretic, application was made, with the consent of the King of Portugal, to the King of Prussia, to permit the Duke of Bevern, a brave and experienced officer in his service, to head the expe-

* In this action, the King of Spain accuses the Portuguese of having cruelly maimed and mutilated his subjects, conduct which was afterwards severely revenged. See the King of Spain's Manifesto, 25th June.

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Arrival of
the British
troops.

dition ; but the King, whose distaste to England was just beginning to operate, returned unsatisfactory and evasive answers ; first, Stettin, of which the Duke was governor, might be besieged ; then he was gone to Stutgard, to settle the terms of an armistice ; finally, the King consented ; but the Duke refused the command, assigning, as his reasons, the unmilitary state of Portugal, where there had been no war since the peace of Utrecht, the divisions with which it was distracted, and the impossibility of acquiring glory, his only object in war, by commanding in such a country*.

Great Britain sent to the succour of her ally eight thousand troops, commanded by Lord Tyrawley. (who also acted as ambassador), the Earl of Loudon†, Lieutenant-General Townsend, and, under them, Lord George Lenox, and Brigadiers Crawford and Burgoyne. Finding himself but ill seconded by the Portuguese, Lord Tyrawley retired in disgust, declaring that the war between Spain and Portugal was a mere collusion to dupe the British government‡. Fortunately, at this period the command of the Portuguese force was given to the Count de la Lippe Buckbourg, an active and intelligent officer, who had commanded the artillery of the British army in Westphalia during the present war. He was exempt from all participation in the feuds which occasioned the retreat of Lord Tyrawley, and, in conjunction with the Earl of Loudon, began immediate operations against a third detachment of Spaniards, who were preparing to enter Portugal.

* Mitchell Papers ; Letters 9th January to 20th March, 1762.

† The Earl of Loudon, who was appointed second in command, attended the troops from England ; Lord Tyrawley had previously arrived.

‡ Such was the account given by Lord Tyrawley ; but nearly forty years afterward, when passion must have subsided, and no motive for misrepresentation could exist, the Marquis Townsend, in a debate in the House of Lords, said : of the attachment of Portugal to this country, he should always be ready to bear testimony, and he could do so from personal knowledge. He served in that kingdom in 1762 ; and it was not possible for any troops in a foreign land to receive stronger marks of attachment, or a more hearty co-operation, than that experienced by the troops of His Britannic Majesty, at the period to which he alluded. All ranks of people shewed the utmost alacrity in affording their assistance ; and it was no where more conspicuous than among the mountaineers and the lowest order of the people. This it was that rendered the resistance to the enemies of Portugal effectual and successful.

The attack of Valencia d'Alcantara, where large magazines of flour and forage were supposed to be collected, was entrusted to Brigadier Burgoyne. He hoped to surprise the place; but, being disappointed, carried the town by a vigorous coup-de-main, with inconsiderable loss, taking a Major-General, upward of twenty officers, fifty-nine soldiers, three pair of colours, and a great quantity of arms and ammunition. He levied a contribution, amounting to the sum of the King's revenue for one year, in consideration of sparing the churches and convents, and brought away hostages for the care of the wounded, and the payment of the stipulated sum.

The army under the Conde d'Aranda, having left garrisons in Almeida and Castel Roderigo, marched to Castel Branco, forcing La Lippe to retreat, and intending to cross the Tagus at Villa Velha. It was of the utmost importance to counteract this attempt, and prevent their forcing a passage through the mountains. Count de St. Jago occupied the pass of Alvito, deemed impregnable, and Burgoyne was encamped on the southern bank of the Tagus, over-against Villa Velha. The enemy placed six thousand men in front of the Count St. Jago, attacked the old Moorish castle of Villa Velha on his right, and assaulted a post on his left, at the defile of St. Simon. Burgoyne for some days protected the castle by his cannon across the river; but it was at length taken; St. Simon was reduced, and the enemy obtained possession of the passes of the mountains: St. Jago being thus placed in imminent danger, La Lippe ordered him to retire, and Lord Loudon was directed to advance through the mountains to protect the retreat. The enemy, penetrating into this intention, detached a strong body over the river Alvito, to harass Lord Loudon's rear, which weakened their corps at Villa Velha so much, that Burgoyne was encouraged to beat up their quarters. Colonel Lee passed the Tagus in the night, and, while the Spaniards were amused by a feint in front, entered their encampment unperceived, and routed them with great slaughter; most of their officers were killed, the

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General
Burgoyne
takes Va-
lencia.

27th August.

And beats up
the enemy's
quarters at
Villa Velha.

1st October.

6th October.

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Retreat of
the Spaniards.

magazines destroyed, and some prisoners taken, besides a valuable booty. Notwithstanding this success, La Lippe found it impossible to defend the passes, and therefore assembled his forces at Macao; but the Spaniards, frustrated in all their endeavours to cross the Tagus, partly by the vigilance of La Lippe, and partly by heavy rains, evacuated the province of Estremadura, where they could not maintain themselves during the winter, and, having dismantled the castles of Almeida, Castel Roderigo, and Castel Borri, terminated a campaign from which they derived neither honour nor advantage*.

Expedition
against the
Havannah.5th March.
27th May.

In other quarters their ill-fortune was still more conspicuous. The British ministry, disdaining all attempts at subordinate acquisition, meditated the reduction of Havannah, the principal town of the island of Cuba, where the Spanish galleons and the flota assembled before they finally sailed for Europe; a conquest which would strike terror, and produce the most auspicious consequences. The preparations were commensurate to the object: a fleet, sailing from Portsmouth, under Admiral Pococke, with ten thousand men, commanded by Lord Albemarle, the friend and pupil of the Duke of Cumberland, was joined, off Cape Nicola, by part of the squadron which had been so successful in the operations against Martinique, under the orders of Sir James Douglas. Thus united, they consisted of nineteen sail of the line, eighteen smaller ships of war, and nearly a hundred and fifty transports. To avoid the tediousness of the common voyage, the Admiral boldly explored a perilous way through the old straits of Bahama, a narrow passage, almost seven hundred miles in length, bounded on both sides by dangerous sands and shoals; and, without the slightest accident, arrived before the Havannah.

5th June

Difficulties
of the siege.

Although no immediate attack was expected, the town was of sufficient strength, both from art and

* An accurate account of this campaign, in the French language, anonymous, but evidently by a military officer, is in a thin folio volume in the British Museum. King George the Third's MSS. No. 221. It is written with great spirit, and highly honourable to General Burgoyne.

nature, to make a vigorous resistance. By favour of a judicious feint, the troops were landed without loss or opposition ; and being divided into two corps, one, under General Elliot, advanced a considerable way into the country, while the other, under General Keppel, besieged the Moro, a fort which commanded the town and the entrance into the harbour. The difficulties attending this operation were deemed insurmountable. The earth was so thin, that the besiegers, to cover their approaches, used bags of cotton, forming part of the cargo of some ships brought from Jamaica by Sir James Douglas. There was no spring or river in the vicinity ; the supply of water from the country was precarious and scanty, and they were obliged principally to depend on the shipping. The labour of cutting roads for communication through the woods, and drawing the artillery, was so excessive, that many dropped down dead with fatigue ; but every thing yielded to vigorous perseverance ; batteries were raised to assail the fort and shipping ; the Spaniards, fifteen thousand in number, were repulsed in a resolute sally ; and three British men of war brought their guns to bear on the Moro. These efforts did not make the expected impression ; the men of war sustained great injury from the fire of the fort ; the capital battery, which was made of wood, took fire, and was consumed ; half the army and three thousand seamen were ill ; the hurricane season was rapidly approaching ; and a reinforcement of four thousand men, expected from North America, did not arrive. Still no murmur, no relaxation of exertion, was observed in this army of heroes, and the seamen acted in cordial unison. A lodgment was at length made in the covered way ; twelve thousand men, who attempted to drive the besiegers from their works, were repulsed ; part of the succours from America arrived ; the mines were sprung ; and, the breach in the walls being deemed practicable, though difficult, orders were given to storm. This dangerous enterprise was hailed by the British as a termination of their labours ; they mounted with intrepid gallantry, and, after a short but warm contest, drove the enemy from every part of the

29th.

3rd July.

20th.

22nd.

28th.

30th.

The Moro
stormed.

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ramparts: they then formed with coolness and resolution; the Spaniards fled on all sides; four hundred were killed and drowned, and as many laid down their arms. The Marquis de Gonzales, who was second in command, fell in making brave but ineffectual efforts to rally the troops. Don Lewis de Velasco, the governor, to whose valour the long defence of the fort was principally due, collected a hundred men in an intrenchment which he formed round the colours, resolved to defend them to the last extremity. He saw his little band slaughtered or dispersed, and was himself killed by a random shot, while offering his sword to the victors. The humanity which ever attends true courage, sympathized in this deplorable catastrophe of a high-spirited enemy.

Capture of
the town.

2nd Aug.

10th. .

The Moro being reduced, and a second division of the troops from America having arrived, new works were begun for the attack of the town. Lord Albemarle summoned the governor to surrender; but, having received a civil though firm refusal, opened his batteries with such effect, that flags of truce soon appeared. A capitulation was entered into, by which the Havannah, with a district of a hundred and eighty miles westward, was ceded to the conquerors. The fleet, which also fell into the power of England, consisted of nine ships of the line and four frigates; and the treasure in ready money, tobacco, and other valuable merchandize belonging to the King of Spain, was estimated at three millions sterling. The garrison, reduced to seven hundred, was allowed the honours of war, and a safe conveyance to Spain*.

Expedition
against the
Philippine
Isles.

In another quarter of the globe, the Spanish wealth was exposed to an attack no less hazardous and successful than that on the Havannah. In pursuance of orders dispatched from England, immediately on the declaration of hostilities, an expedition was dispatched from Madras against Luconia, the principal of the Philippine Isles. The land troops consisted of two thousand three hundred men, chiefly Indians, under the command of Brigadier-General Draper, who had greatly distinguished himself at the siege of Madras in

* Beatson's Naval and Military Memoirs, vol. iii. p. 170.

1759. The naval force was eleven ships from Admiral Cornish's squadron. The Spaniards, not having received intelligence of the war, were not fully prepared for resistance; had they been so, the force which attacked them was not sufficient to command success. The troops having effected a landing without loss, though not without opposition, commenced vigorous operations against the town; their gallantry made amends for their deficiency in strength, and, notwithstanding a violent storm, which threatened destruction to the ships, they completed their batteries, finished a parallel and communication, and established a place of arms. A strong body of Indians in the service of the garrison, made a sally, and fought with incredible ferocity; they were repulsed by the steady valour of the besiegers, and many died, gnawing, like wild beasts, the bayonets with which they were transfixed. A breach was at length effected; and the garrison, instead of endeavouring to repair the works, awaited the event in sullen despair. No proposal to capitulate being made, the town was stormed, and, for some hours, unavoidably exposed to the licentiousness of the military. The Archbishop and Governor, with the magistrates, retired into the Citadel, which being in no condition of defence, they were soon obliged to surrender, and a capitulation was agreed to, by which the town of Manilla and port of Cavite, with several ships, and a large quantity of military stores, were surrendered to the King, and four millions of dollars covenanted to be paid as a ransom for the private property in the town*. This important conquest was achieved with little loss. It was said, at the time, by Admiral Cornish and Colonel Draper, that the conquest would have been much more easy, but that difficulties were interposed by persons in India, who carried on a contraband trade†.

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24th Sept.

1st and 2nd
October.

4th.

6th Oct.
Capture of
Manilla.

* This covenant was so utterly disregarded, that the time of paying the Manilla ransom became, in popular speech, equivalent to the Latin "*ad calendas græcas*." It was at one time proposed to accept a composition; but the Court of Spain disdained such an arrangement, and more heroically paid nothing at all. Mitchell Papers, 6828, fol. 144.

† Beatson's Naval and Military Memoirs, vol. iii. p. 131. Barrow's Life of Lord Anson, p. 365.

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Capture of
the Santis-
sima Trini-
dad.
30th.

Capture
of the
Hermione.

21st May.

Unsuccessful
expedition
against
Buenos
Ayres.

30th Aug.

In consequence of information contained in some letters, which fell into the hands of the victors, Captains Parker and King, in the Panther, a ship of the line, and the Argo frigate, were dispatched to intercept the galleon Philippina. Instead of the expected prize, they captured the Santissima Trinidad, Acapulco ship, with a cargo valued at three millions of dollars.

These important conquests, by which the resources of Spain were effectually destroyed in less than ten months after the declaration of war, left her in no condition to attempt retrieving the affairs of France. Even the hope of an immediate supply of specie was frustrated early in the contest, by the capture, off St. Vincent's, by the Active frigate, and the Favourite sloop, two of Sir Edward Hawke's cruisers, of the Hermione, a register sloop, bound from Lima to Cadiz; containing treasure and valuable effects to the amount of half a million sterling. So rich was the prize, that every seaman and marine received as his portion four hundred and eighty-five pounds; each lieutenant thirteen thousand pounds, and the flag shares reached nearly to sixty-five thousand pounds. Another valuable capture was made of a ship from Barcelona, carrying a hundred thousand dollars*.

The only attempt against Spain which failed, was a joint expedition planned by Great Britain and Portugal to attack the colony of Buenos Ayres. A fleet, consisting of three frigates, beside small armed vessels and store ships, which sailed from the Tagus, with five hundred soldiers, under the command of Captain Macnamara, reached the River Plata without difficulty; they were assailed by a dreadful storm of wind, thunder, and lightning, and greatly embarrassed by not knowing the soundings; the Spaniards were not only prepared to receive them, but had acted with advantage on the offensive, by possessing themselves of a Portuguese settlement called Nova Colonia, the recovery of which was first attempted. An English pilot, acquainted with the river and coast, undertook to carry

* Barrow's Life of Anson, p. 383.

the commodore's ship within pistol-shot of the principal fort. After a vigorous cannonade of four hours, the enemy's batteries were nearly silenced, and the British expected to reap the fruits of their valour, when the commander's ship was discovered to be on fire: the flames raged with unconquerable violence, and the distress was augmented by a renewal of the enemy's cannonade: the other vessels, for their own safety, were obliged to keep at too great a distance to afford succour, and finally, of three hundred and forty men, only seventy-eight escaped the flames and the sea: the commodore was drowned. The vessels, reduced almost to wrecks by the enemy's shot, with difficulty reached the Portuguese settlement at Rio Janeiro. The Spaniards, with characteristic gallantry and humanity, succoured and relieved the unfortunate men who were driven on shore; forgot their enmity in their misfortune, and treated them rather like brethren than foes.

CHAP.
IV.

1762.
1st Jan.
1763.

CHAPTER THE FIFTH.

1762—1763.

Birth of the Prince of Wales.—Addresses on the occasion.—Negotiations for peace.—State of the public mind.—Honours conferred on Lord Bute.—Changes in the ministry. Proceedings in the city of London.—Beckford made Lord Mayor.—Progress of the treaty of peace.—Preliminaries signed.—Examination of the terms.—Objections, and observations.—Discussion of the preliminaries in Parliament. Definitive treaty signed.—General pacification.

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V.

1762.
Birth of the
Prince of
Wales.

12th Aug.

THERE are periods in the history of nations, as in the lives of individuals, when, by a concurrence of fortunate events, every desire seems gratified, and no reflection occurs to restrain an unbounded hilarity ; short and unfrequent are such periods, but ever remembered with delight and recorded with exultation. The birth of the Prince of Wales gave the greatest satisfaction to the inhabitants of the British metropolis, who justly looked up to a perpetuation of the Brunswick line, as the most favourable pledge which Providence could afford, that their religion and liberties would be fixed on an immutable basis. While the cannon which announced the joyous event yet sounded, the public were further gratified by the arrival of the treasure captured in the *Hermione*, which in stately procession moved before the palace in its progress to the Tower. The King and principal nobility appeared at the windows of the royal abode, and crowned the raptures of the people by joining heartily in their acclamations.

City address.

A loyal and dutiful address was presented by the city of London, in which it was not forgotten that the auspicious day of the Prince's birth was sacred to

liberty and these kingdoms, in having given the present illustrious family to the throne. Similar addresses were dispatched from all parts of the kingdom.

The glorious successes of the war had no power to divert the minister's attention from the great object of peace. In pursuing this object, he did not rely on himself and his own friends entirely, but was desirous to combine with him persons whose knowledge and accredited patriotism would give effect and popularity to his proceedings. For this purpose, Lord Halifax called on the Duke of Newcastle, at Claremont, inviting him and Lord Hardwicke to a council, at which the question of peace or war was to be decided; His Majesty promising to be guided entirely by their advice, and offering any employments they should choose for themselves and their friends, the treasury excepted. As both these peers had recently professed a determination not to oppose the government, and a strong predilection for peace, great expectations might be formed from this most gracious offer. But the Duke of Newcastle had but recently formed a new alliance with the Duke of Cumberland; the proposal was rejected, and a vigorous opposition on their part was expected*. Anxious to resume negotiations, Lord Bute engaged the King of Sardinia, a neutral power, to make proposals to the court of France, which that nation, enfeebled and despondent as they were, and convinced, by the experience of a most active campaign, that the union with Spain, far from bringing them assistance and relief, was, in fact, a dangerous association, or, at best, a listless incumbrance, readily accepted. To prevent the effects which might arise from interested speculations, the minister sent notice of his intention to the Lord Mayor. The Duke of Bedford was deputed from England as Minister Plenipotentiary, and the Duc de Nivernois from France†.

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1762.

Negotiation
for Peace.

30th Aug.

5th Sept.

12th.

* Memoirs of Lord Barrington, pp. 70, 71.

† The Duc de Nivernois is thus described by the Chevalier d'Eon, who attended him on this embassy: "Ce seigneur qui, dans toutes ces ambassades, a toujours paru, comme Anacréon, couronné de mirthes et de roses, et chantant les plaisirs au sein de ses infirmités et des plus pénibles travaux, seroit un des plus grands ministres de la France, si à la bonté, à l'élevation de son cœur, à la su-

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The final adjustment of the objects of treaty was reserved to Lord Bute and the Earl of Egremont in England, and M. de Choiseul in Paris; their medium of communication being through the Comte de Viri, the Sardinian minister in London, and the Bailli de Solare, minister from the same court in France*.

The public
averse to
peace.

Every reasonable purpose which the British nation could expect to attain by war, was now abundantly gratified: and yet the public was not cordially disposed to hail the return of peace. The constant succession of conquest and victory inspired exaggerated notions of our martial prowess, and hopes of extended colonial acquisition, no less absurd than extravagant. Many persons in power, and a strong party in opposition, could not endure that Lord Bute should enjoy the honour of making a popular peace, and every effort was tried to excite disgust against the measure.

Honours
conferred on
Lord Bute.

Lord Bute seemed to rise in the King's good opinion, and had the disposal of all honours and dignities in the state. Besides his appointment to the Rangership of Richmond Park, he was installed a Knight of the Garter; an honour which was greatly enhanced by the association of the Duke of York, brother to the King, in the same ceremony. Yet Lord Bute could not succeed in inspiring personal friendship; his benefits were received without gratitude, and his omission to gratify every interested application produced sullen dissatisfaction, or open opposition†.

blimité de son génie et des ses talents, il joignoit autant de fermeté que de délicatesse dans l'esprit. Le seul petit défaut que j'aie remarqué dans M. le Duc de Nivernois, est la coquetterie de plaire à tout le monde, coquetterie, qui nous fait souvent plus d'ennemis que de vrais amis." *Lettres, Mémoires, &c. du Chevalier d'Eon, Discours préliminaire, p. 5.*

* From private information.

† In answer to an angry remonstrance, occasioned by his having omitted to provide for a dependant of Lord Melcombe, Lord Bute thus expressed himself: "In short, my Lord, though I cannot prevent umbrage being taken at my not satisfying every wish, I shall certainly hinder any reasonable ground of complaint concerning things I have once promised; I own, and without blushing, I have been very unfortunate in the means I have for years taken in cementing friendship, and procuring attachments; others, with much less trouble, perhaps without my sincerity, succeed better: but I repine not. Conscious of my own feelings, conscious of deserving better treatment, I shall go on, though single and alone, to serve my King and country, in the best manner my poor talents will allow me, happy, too happy, when the heavy burden that I bear shall be removed, and placed upon other shoulders."

After the resignation of the Duke of Newcastle, the disunion of the ministry became daily more apparent. The Duke of Devonshire, during the negotiation for peace, absented himself from the council board; on his refusal to attend when summoned, he was dismissed from the office of Lord Chamberlain; and the King, with his own hand, erased his name from the list of privy counsellors. This dismissal produced the resignation of Lord George Cavendish, Comptroller of the Household, and Lord Besborough, joint Post-Master-General. Several noblemen and commoners of distinction openly disclaimed all connexion with the minister, and an opposition was forming, of great extent and influence, headed by the Duke of Cumberland*.

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1762.
Dismission of
the Duke of
Devonshire.
31st Oct.

Other resig-
nations ;

The force of the ministry was respectable, but not proportioned to this weight of opposition. The death of Lord Anson created a vacancy at the head of the Admiralty, which was filled by Lord Halifax, who had acquitted himself with distinguished propriety as Lord Lieutenant of Ireland; but, at his desire, an exchange was arranged with Mr. Grenville; then Lord Halifax became Secretary of State, and Mr. Fox, who still retained the Paymastership of the Forces, was destined to lead the House of Commons. It had been proposed to make him Secretary of State; he declined that office as too burthensome to be united, in a stormy session, with the lead of the house; but he undertook the rest, although reluctant to leave the quiet life, in which he found true enjoyment, and to give up that repose which was necessary to his health†.

And changes.
6th June.
12th to
16th Oct.

The mere proposal of peace, on any terms, was odious to the city of London. The protection afforded to trade by a successful maritime war, prevented their feeling the burthens which pressed upon the rest of the nation: the money expended by the government gave alacrity to mercantile exertion, and was mistaken by the interested and superficial for an increase of

Conduct of
the city of
London.

* Lord Orford's Works, vol. v. p. 94.

† Letter from Mr. Fox to the Duke of Bedford, 13th Oct. 1762. From private communication.

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beneficial commerce*. During the negotiation of last year, the city had instructed their representatives to oppose any peace in which the whole, or the greater part, of the conquests made by Great Britain should not be retained. The arrogance of one city thus presuming to lay down a rule of war and peace for the whole nation, is not less remarkable than the wildness and absurdity of the terms they attempted to dictate†. If such were the sentiments of the city during the last negotiation, the brilliant transactions of the present campaign did not induce them to moderate their pretensions, or assume a more humble tone. The capture of the Havannah produced absurd expectations; and while all the success of the war was attributed to Mr. Pitt, the proposal of peace was considered as a base dereliction of his plan, and a sacrifice of national honour to the safety of the minister, or, as he was invidiously termed, the favourite.

Beckford
made Lord
Mayor.

28th Sept.

Mr. Pitt was not unmindful of these appearances; he saw that, by securing a strong party in the city, he should best be able to make a separate opposition, and harass the ministry. The appointment of the new Lord Mayor appearing an object of importance, Alderman Beckford was fixed on for the office‡: he was a native of Jamaica, of a haughty and turbulent disposition; but he was respected for the independence of his character, and the incorruptibility resulting from unlimited wealth, and he was popular from his devoted adherence to Mr Pitt. On the day before his appointment, he attended the Common Council, requesting to resign his gown; but the court postponed the consideration of his demand, and elected him Mayor.

Till the meeting of Parliament, no effectual opposition could be made; but pamphlets, and every other

* The Political Conduct of the Earl of Chatham, p. 12.

† Their instructions on this head are in these words: "That you entertain just sentiments of the importance of the conquests made this war by the British arms, at the expense of much blood and treasure; and that you will, to the utmost of your power and abilities, oppose all attempts for giving up such places as may tend to lessen our present security, or, by restoring the naval power of France, render us subject to fresh hostilities from that natural enemy; particularly, that the sole and exclusive right of our acquisitions in North America and the fisheries be preserved to us." Lord Orford's Works, vol. v. p. 86.

‡ Lord Orford's Works, vol. v. p. 93.



species of publication, conceived in a malignant spirit of virulence, and containing atrocious, and even treasonable, suggestions, were profusely circulated.

The negotiation was proceeding at this time with a rapidity and harmony which promised ultimate success. By prudently dismissing from consideration all matters relating to Germany, which did not immediately affect the interests of the contracting powers, much of the jealousy prevalent during the late treaty was dispelled, and the progress of accommodation facilitated. The greatest obstacle to its completion arose from the triumphs of the British arms, which inflamed the pride and cupidity of the people, and, by making the situation of the enemy appear desperate, encouraged them to insist on retaining more than justice or sound policy required. The ministry were by these means reduced to an awkward dilemma: if they pretended to retain their recent acquisitions, they could not hope for a peace, but merely for an insincere and sullen truce; if they gave them up, not only the efforts of the preceding administration, but their own exertions, and the expenses of the current year, would be alleged as a crime.

Progress of
the treaty for
Peace.

Preliminary articles were at length signed. In the examination of these it would be easy to prove, from the course of succeeding events, that the British ministry retained too great a portion of their conquests; but it is most candid to survey the transaction as it must have appeared at the time, and to judge of the peace-makers by the actual knowledge they might possess, and on which they could safely and consistently act, without abandoning themselves to speculation, and pursuing measures of contingent and remote advantage. It may, however, be proper to premise, that, independently of the common motives of humanity, which ought never to lose their influence in the affairs of nations; independently of fiscal considerations, which weighed with great force at that period; the want of men began to be severely felt. The state of Europe prevented the engaging of foreign mercenaries in the separate cause of Britain; and the numerous expedi-

3rd Nov.
Preliminaries
signed.

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tions in which the military and naval force of the country was diffused, exhausted the strength of the nation. The bounties to recruits were grown to an unexampled height, and it was supposed that neither interest nor compulsion could have procured men for another extensive expedition. The unhealthy situations in which the soldiers and sailors were placed by the progress of hostile operations demanded continual supplies; every fresh conquest increased the evil, and far from producing means to defray, augmented the expenses of the war, and proved disadvantageous and burthensome. To retain too great a portion of these conquests would, it was apprehended, have perpetuated the evil, and finished in peace the depopulation begun by war.

Examination
of the resti-
tutions.
In Europe.

In Europe there was not much to arrange*. Minorca was restored, together with all countries belonging to the Elector of Hanover, the Landgrave of Hesse, the Duke of Brunswick, and the Count de la Lippe. Cleves, Wesel, Gueldres, and all the territories of the King of Prussia, were to be evacuated, and the fortifications of Dunkirk demolished. The troops of France and Spain were to retire from the territories of the King of Portugal. Great Britain agreed to restore Belleisle†.

Several objections were urged against this arrangement. It was alleged that Belleisle was more than equivalent to Minorca; but the fullest answer to this was given in the former negotiation, when the French minister said, "Keep Belleisle then, and we will retain Minorca‡." Some objections were taken to the dereliction of the King of Prussia's interests; but no complaint could be more destitute of foundation. The reduction of his opponents, and the auspicious events of the campaign, had rendered him an object of terror rather than pity, and the balance of power was endangered by his preponderance, much more than it had

* This examination of restitutions is founded on the articles of the Definitive Treaty.

† See Definitive Treaty, articles 8, 12, 13, 14, 15, 21.

‡ See Historical Memoir of the Court of France, No. xxii.

been by any efforts toward his political annihilation. Applying to Prussia the observation made by Mr. Pitt in the debate on the supply to Portugal, the minister might have said, "We did not mean to bear Prussia "on our shoulders, but only to set him on his legs, and "put a sword in his hand*." This was now effectually performed; and if, as Lord Bute was afterwards reported to have suggested, the countries evacuated were to be *scrambled* for, no power but Prussia could derive advantage from the *scramble*†.

In Asia the enemy had little to relinquish; it remained therefore only to fix on such cessions as might effectually establish the peace and security of India. Great Britain stipulated to restore the factories which France possessed on the coast of Coromandel, Orixá, and Malabar, and in Bengal, at the beginning of the year 1749; and the French King renounced all pretensions to conquests made since that period. He further agreed to give up Nattal and Tapanouly in the island of Sumatra, and to acknowledge Mahommed Ali Khan, Nabob of the Carnatic, and Salabat Sing, lawful Subah of the Deccan. As Luconia was not expressly mentioned in the treaty, it was understood to be relinquished‡.

If the scale of compensation alone should be considered, the enemy had much the advantage in this part of the treaty; indeed, if that principle had been rigidly adhered to, no treaty could have taken place; on the contrary, they must in general have received such terms as Great Britain chose to impose; but if the real welfare and prosperity of the British Empire alone was in contemplation, that was abundantly and sagaciously provided for. The assumption of the entire power and commerce of India was not yet within the reach of Great Britain: to maintain the possessions she held before the war, with the influence which success enabled her to assume over the native powers,

* Debrett's Debates, vol. iv. p. 94.

† Life of Lord Chatham, vol. i. p. 401. n.

‡ See Definitive Treaty, articles 11 and 23.

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In Africa.

was all that could reasonably be demanded; and this was amply secured.

Africa presented few objects of contention, and these were amicably and easily adjusted; Great Britain, in pursuance of the proposal made by France in the negotiation of last year*, retained the factories and rivers of Senegal, and gave up Goree†.

On this subject it has been remarked, that Lord Bute ceded more than Mr. Pitt would have agreed to; and that Goree ought to have been retained, since France had declared that the one was essentially connected with the other; but neither of them was very desirable, except as a source of commerce. Of the African trade, Great Britain had sufficient; and, by the possession of Senegal, was enabled so to impede the effectual prosecution of it by the French, that from Goree, and all their other territories in Africa, they did not afterward obtain annually more than three or four hundred slaves‡.

In America.

America, the primary cause of the war, and the great scene of conquest, afforded the most ample grounds of cession, restitution, and discussion. These objects may be divided into three heads: the Continent, the West India Islands, and the Fisheries.

On the continent, France, after unequivocally resigning all pretensions to Nova Scotia, or Acadia, ceded and guaranteed to Great Britain, in full right, Canada, with all its dependencies, together with Cape Breton, and all other islands in the gulf and river of St. Lawrence, reserving to the Roman Catholics the right of exercising their religion, and leave to quit the country within a limited time. The boundaries were so clearly and expressly defined, as to prevent the possibility of dispute; and so advantageously, that much of the territory of Louisiana, in which France had hitherto maintained a disputed possession, was relinquished without reserve. Spain yielded Florida, and all other

* See the Historical Memorial of France, No. xvii.

† See Definitive Treaty, article 10.

‡ Raynal's History of the East and West Indies, vol. v. p. 229.

possessions on the continent of North America to the east or to the south-east of the river Mississippi*, and thus the British empire was consolidated in this quarter of the globe.

France received compensation for these cessions in the West India Islands, where Great Britain restored Guadaloupe, Marie-Galante, Desirade, Martinique, and St. Lucie; retaining Grenada and the Grenadines, St. Vincent's, Dominica, and Tobago. To Spain, Great Britain ceded all the territory conquered in the Island of Cuba, with the fortress of the Havannah, and all other fortresses in the Island†.

Against these articles many objections were raised: it was alleged that, although the cessions on the continent were ample and honourable, yet the benefits to be derived from them were remote and contingent, the commerce scanty, and the return distant; that as an indemnity for the expenses of the war, Martinique, Guadaloupe, St. Lucie, or some other important island, should have been preserved, which would have opened a valuable and ample source of commerce, and contributed, by a rapid circulation, to give energy to trade and vigour to industry. It was asserted, that, by permitting France to resume these possessions, we afforded her means of speedily repairing all the losses occasioned by the war, and of restoring her trade and marine in all their former splendour. These arguments are, in part, true, but the application of them erroneous: if generally adopted, they would reduce war between nations to mere piracy; the pretence that what had been acquired would be advantageous either to the conqueror or the enemy, could never be wanting; peace could only be hoped from unconditional submission, and war must ever be continued to extermination. It is doubtful whether permanent advantages would have accrued to Great Britain from the possession of these colonies: those which were retained languished for want of cultivation, and

* Definitive Treaty, articles 4, 7, 20.

† Idem, articles 8, 9, 19.

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became the causes of litigation between the sovereign and the subject, rather than productive of immediate benefit to the country*. The system pursued by some merchants and proprietors of land, since the capture of Guadaloupe, influenced them clamorously to demand the retention of that colony: they had overstocked the market with goods, sold them at a long credit, and made the island in other respects an exception to the rule of West India commerce; they had, in fact, so much improved the resources of the colony, that it might perhaps have been advantageous to Great Britain to maintain the possession†. But the case was far different with Martinique; the contraband trade with the Spanish coasts was almost entirely destroyed; the cession of Louisiana and Canada had precluded all hopes of again opening a communication; and the value of the restitution was diminished by the loss of the produce of the Grenades, St. Vincent's, and Dominica, which was formerly brought into their harbours‡. St. Lucie might possibly have produced more advantage; but that was the only neutral island possessed by the French, and policy appeared to dictate that the task of keeping the Caribbs in subjection should in part devolve on them. They were permitted to catch and dry fish on part of the coast of Newfoundland, and to fish in the Gulf of St. Lawrence, on condition of not approaching within three leagues of the shore; on the other coast of the Island of Cape Breton, they were suffered to fish at the distance of fifteen leagues from the shore; and the fishery on the coast of Nova Scotia and Acadia was left on the same footing as in other treaties. The isles of St. Pierre and Miquelon were ceded to France, but expressly to serve as a shelter to fishermen; they covenanting to erect no new buildings, except for the convenience of fishery; and to keep on them a guard of fifty men only, for police. The King of Spain waived all pretensions to

* Bryan Edwards' History of the British Colonies in the West Indies, book iii. p. 2 and 3.

† Raynal's History of the East and West Indies, vol. vi. p. 104.

‡ Idem, p. 86.

any right existing in himself or the Guipuscoans, or any other of his subjects, to fish in the neighbourhood of Newfoundland*.

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In objecting to these particulars of the treaty, it was assumed as a principle, that this country ought to monopolize all the fisheries, for the purpose of preventing France from ever re-establishing her naval power, and of augmenting our own. The want of justice in such an objection is easily perceptible, and its want of true policy is no less certain. The fair end of peace is security and social intercourse: but it is too much to presume that those objects are only attainable by crippling and plundering those with whom we treat: peace is more endangered by the indignant feelings of another nation, excited by severe terms, and by a jealousy of disproportionate aggrandizement, than by the hope which can be entertained of making war with advantage, when the strength of both parties is nearly equal. The concessions in regard to the fisheries had no tendency to increase the naval power of France in any formidable degree: an establishment where fifty soldiers are sufficient for the police, and where the rival nation is restrained from fishing within nine or forty-five miles of the shore, can occasion no well-grounded alarm, or prudent jealousy.

The disputes with Spain respecting prizes were referred to the British court of admiralty; and it was agreed that the fortifications erected in the Bay of Honduras should be demolished; the King of Spain consenting that the British subjects, or their workmen, should not be molested in loading, cutting, and carrying away logwood, but might build and occupy, without interruption, the houses and magazines necessary for them, their families, and effects†.

Such were the terms of peace procured by the conquests of Great Britain. If the people were ever induced to expect a complete indemnification for the expenses of the war, or any considerable diminution of their burthens from the terms of a treaty, they who

* Definitive Treaty, articles 5, 6, 18.

† Idem, 16, 17.

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deceived them were alone responsible for the effects of the delusion. War should never be protracted a day beyond the period which offers a secure and honourable peace; for conquest can no more restore the funds dissipated by war, than peace can give life to those who have fallen victims in the contest.

The peace of 1762 was wise and just, because it so clearly ascertained points in dispute, as to leave no ground for future litigation; because it destroyed every pretence for charging the British nation with rapacity and an overbearing spirit; and because the moderation of the terms tended to obviate every ungracious sentiment which long and successful war might have generated in the bosoms of our opponents. With all the advantages gained by Great Britain, more extensive cessions might, doubtless, have been obtained from France and Spain; but in every view of the subject, the conditions seem to have been judiciously and prudently arranged, and the termination of the contest was no less advantageous than honourable to Great Britain*.

26th Nov.
Meeting of
Parliament.

When Parliament assembled, the King, in his speech, adverted to the circumstances of the war during the last year, and spoke with becoming animation in praise of the glorious achievements of his forces by sea and land. He bore honourable testimony to the unwearied perseverance and unparalleled bravery of the officers and privates in the military as well as naval service; and said that, next to the assistance of Almighty God, it was owing to their conduct and courage that the enemy had been brought to accept of terms, which, he hoped, would give entire satisfaction. His Majesty concluded by observing, that as we could never have carried on this extensive war without the greatest union at home, the same union would be necessary, in order to make the best use of the advantages acquired at the peace, and lay the foundation of that economy, which could alone relieve the nation

* For some judicious observations on this peace, see Chalmers's Estimate, p. 141 to 143, edit. 1804.

from the heavy burthens brought on by a long and expensive contest.

The preliminaries of peace were laid before both houses; but the opposition was not proportioned, either in ability or numbers, to the expectation which had been raised. In the House of Peers, on the motion for an address, many objections were made, and some severe reflections thrown out against the Earl of Bute, with appearances of heat and animosity. That nobleman defended his own conduct with temper and decorum, in a well-connected speech, delivered with great propriety, to the surprise of many, who did not think him so well qualified in the art and faculty of elocution. He gave a detail of the negotiation, and not only avowed himself a warm promoter of the peace, but even expressed a desire that his having contributed to the cessation of hostilities should be engraved on his tomb. He was seconded by the Earl of Halifax, and supported by a great majority*.

In the House of Commons, Mr. Fox principally defended the peace; and Mr. Pitt, although in a state of extreme pain and weakness from the gout, attended to lay before Parliament his objections to the preliminaries. His speech lasted three hours and forty minutes; it embraced every topic of objection, and was expressed in glowing language. He declared, although he was at that instant suffering under the most excruciating torture, yet he determined, at the hazard of his life, to attend this day, to raise up his voice, his hand, and his arm, against the preliminary articles of a treaty, which obscured all the glories of the war, surrendered the dearest interests of the nation, and sacrificed the public faith, by abandoning our allies. He first challenged the ministry to compare the present treaty with the terms he could have obtained from Bussy; but that producing no reply, he proceeded to analyze every part of the stipulations, which he stigmatised, in general,

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1762.

29th.
Preliminaries
of peace dis-
cussed.
9th Dec.

9th Dec.

* Smollett's Complete History of England, vol. xvi. p. 161. No traces of this debate are preserved in Debrett's Collection. Lord Bute did not often speak in Parliament: his delivery was very slow and solemn: in allusion to which, Charles Townsend, during a speech which his Lordship made on the subject of the cyder tax, humorously exclaimed, "*minute guns.*"

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1762.

with unqualified censure. The only particulars which met his approbation were the dereliction of North America by the French, and the restitution of Minorca. He expatiated at great length on the German connexion; and affirmed, that the desertion of the King of Prussia, the most magnanimous ally this country ever had, was insidious, tricking, base, and treacherous. In conclusion, he said the terms of the proposed treaty met his most hearty disapprobation; he saw in them the seeds of a future war. The peace was insecure, because it restored the enemy to her former greatness: the peace was inadequate, because the places retained were no equivalent for those surrendered.

These observations made great impression, and were productive of more general effect from the circumstances under which they were delivered. Mr. Pitt, who entered the house on crutches, was so feeble at the beginning of his harangue that he was supported by two of his friends; during its progress, his pain increasing, he was allowed the unprecedented indulgence of delivering his sentiments sitting*; toward the conclusion his strength entirely failed, his voice became indistinct, and he was obliged to omit the remarks which he was prepared to make on the articles relating to Spain.

The arguments of Mr. Pitt were combated by general considerations of policy, and discussions of the value of the ceded conquests; which, it was truly affirmed, was greatly diminished by the privation of those retained. On a division, the motion for the address was carried by a great majority†.

No other business of importance was brought before Parliament till after the recess.

In consequence of the execution of the preliminaries, a cessation of arms had been proclaimed, and passports were issued for merchants desiring to trade to any part of France. The definitive treaty was, in due time, ratified, and peace established‡.

21st.
Definitive
treaty signed.
1st Dec.
7th.
10th Feb.
1763.

* Hatsell's Precedents, vol. ii. p. 101.

† 319 to 65.

‡ Much of the opposition which this treaty encountered in Parliament was the mere result of party spirit; as I am informed, from indubitable authority, that

When the belligerent powers on the continent saw Great Britain and France seriously disposed to effect a pacification, they became convinced of the propriety of desisting from further operations. A proposal of the Imperial Court for a congress was readily acceded to by the King of Prussia. It was held at Hubertsburg; and, after some previous discussions, a treaty was arranged between Austria, Prussia, Saxony, and Poland, which restored the peace of Europe. By this compact, few points of great importance were regulated, and no extension of territory was acquired by any of the contracting parties*. During the progress of the treaty, the King of Prussia observed toward Great Britain the same unfriendly and mysterious behaviour which he had of late assumed.

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V.

1762.
The other
powers
make peace.
31st Dec.

15th Feb.
1763.

several eminent statesmen were known to express high approbation of it in private, although they decried it in public. The terms were, on the whole, more judicious, and really more advantageous, than those which, in the preceding year, were demanded by Mr. Pitt. The opinion of an individual, however eminent, cannot decide a question so extensive; but the following anecdote, related by Wood, in his Preface to the Essay on the Original Genius and Writings of Homer, is deserving of attention. "Being directed to wait on Lord Granville," he says, "a few days before he died, with the preliminary articles of the Treaty of Paris, I found him so languid, that I proposed postponing my business for another time; but he insisted that I should stay, saying, it could not prolong his life to neglect his duty. He then desired to hear the treaty read, to which he listened with great attention, and recovered spirits enough to declare the approbation of a dying statesman (I use his own words) on the most glorious war, and the most honourable peace, this nation ever saw."

* *Œuvres du Roi de Prusse*, vol. iv. p. 139, 149.

CHAPTER THE SIXTH.

1763.

Formation of opposition.—Proceedings in Parliament.—Cyder tax.—Petitions of the city of London and other places.—Relief granted to the Americans.—Resignation of Lord Bute.—His character.—Virulence of political publications.—The North Briton.—General warrants issued.—Mr. Wilkes arrested and committed to the Tower.—Proceedings thereon.—He is discharged, and deprived of his commission.—Lord Temple dismissed.—Mr. Wilkes's intemperate proceedings.—Death of Lord Egremont.—Negotiation with Mr. Pitt.—Duke of Bedford's ministry.—Mr. Wilkes publishes sundry libels, and goes to France.

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VI.

 1763.
Formation of
opposition.

 Objections to
the peace.

THE inefficient resistance made to the addresses on peace, shewed plainly that, without general concord, the various parties disposed to thwart the measures of government would be frustrated in every attempt. Some, still entertaining hopes of regaining a share of power by not displaying an open opposition to the ministers, when the debate was expected feigned sickness, quitted the metropolis, or absented themselves from the house without assigning a reason*. It was therefore necessary to unite all the discordant members of the minority by a general coalition, if they hoped to make an effectual attack on the power of Lord Bute, toward which the most strenuous exertions were made†. The effect of the objections to the peace promised no inconsiderable success: the counties of York and Surrey refused to present addresses; and it was said that those which were sent from all quarters of the kingdom

* History of the late Minority, p. 83.

† An instance may be seen in Lord Barrington's Memoirs, p. 78, et seqq.

were not procured without much address and great difficulty. The city of London was peculiarly hostile to the measure. On the intelligence that the preliminaries were signed, stocks fell five per cent. and, after the publication of the definitive treaty, the Court of Aldermen most reluctantly and ungraciously voted an address of congratulation. The Lord Mayor and Sir Robert Ladbroke would not be present, did not sign, or go to Court with the address; and, by a majority of four, it was carried that the peace should not be termed honourable, but advantageous only*. The bells of several parishes were muffled during the procession.

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1763.
March.

City of London.

The coalition was consolidated at the house of the Duke of Newcastle†; and their resistance of every effort to divide them, convinced the minister that their union would, in time, be fatal to his ascendancy.

Parliament had resumed its sittings before this coalition was formed; but no business of importance claimed their attention, until the supplies were proposed. The loan required was three millions and a half; it was alleged that ministers privately disposed of it, and that in a few days it rose to eleven per cent. premium; and thus, at the expence of the public, gratified their own creatures with benefits to the amount of three hundred and fifty thousand pounds‡. But a more specious object of attack presented itself in one of the modes of supply; the act for imposing a tax on perry and cyder.

20th Jan.
Meeting of
Parliament.

8th Mar.

The minister at first intended the duty to be ten shillings per hogshead, on the liquor sold by retail, confining the tax to the victualler: the next project was to lay the same assessment on the first buyer§. Neither of these proposals was agreeable to the country

Cyder tax.

* Letter from Dr. Birch to Lord Royston, same Papers, fo. 154.

† The party is stated to have consisted of the following persons: the Dukes of Devonshire, Bolton, and Portland; Marquis of Rockingham; Earls Temple, Cornwallis, Albemarle, Ashburnham, Hardwicke, and Besborough; Lords Spencer, Sondes, Grantham, and Villiers; Mr. Pitt, Mr. J. Grenville, and Sir George Savile. History of the late Minority, p. 89 to 93.

‡ See Mr. Legge's speeches in the Debates, North Briton, History of the late Minority, p. 107.

§ Debrett's Debates, vol. iv. p. 131.

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Objections.

28th and
30th Mar.

gentlemen, and therefore the mode was altered to an imposition of four shillings per hogshead on the grower; and the regulations of the excise were extended to the collection of this duty.

Against this system it was not difficult to raise a loud and diffusive clamour. The same arguments and efforts which, in 1733, had nearly driven Walpole from the helm, could not fail of being again employed. In the House of Commons, Mr. Pitt, as the leader of opposition, detailed the accustomed topics, inveighed against the admission of excise officers into private dwellings, and, adverting to the excellent maxim that every man's house is his castle, deprecated the extension of excise laws to individuals, who, by their birth, education, and professions, were entirely distinct from the trader*. A petition was presented from the city of London, but without effect†, and the bill finally passed. In the Lords it met with equal opposition; forty-nine peers divided against it, and two protests, each signed by three peers, were entered on the journals. These protests were couched in strong terms; and the transaction is rendered more remarkable from the unprecedented fact, that the House of Lords divided on a money bill.

It was a capital error in Lord Bute's administration, to persevere in a measure which gave so much dissatisfaction, and afforded easy means of extending the influence of opposition. Not the city of London alone, but those of Exeter and Worcester, the counties of Devon and Hereford, and several other towns and places, instructed their representatives to resist the tax; sent letters of thanks to those who had distinguished themselves in opposition; formed associations, and even entered into combinations, to let their apples rot under the trees, rather than make them into cyder,

* This debate is memorable from a circumstance which had the effect of giving a nick-name to a ministerial leader. In supporting the bill, Mr. George Grenville repeatedly asked, "Where will you find another tax? tell me where?" Mr. Pitt, after one of these exclamations, in the words of a popular song, and in a singing tone, said, "Gentle shepherd, tell me where?" This saying, although not distinguished by much wit, fixed on Mr. Grenville, for the rest of his life, the sobriquet of "the Gentle Shepherd."

† Not only to the Commons, but to the Lords and the Throne.

subject to such impositions. In a word, no public measure, since the excise act proposed by Sir Robert Walpole, had occasioned so great a ferment in the nation. Prudence should have dictated to Lord Bute an imitation of Walpole: he saw he could neither stem the popular torrent, nor mitigate its fury, and should have withdrawn himself from its effects, by renouncing the obnoxious measure*.

Besides the determined efforts of a preconcerted opposition, and the general invectives against the extension of the excise laws, many specious reasonings were adduced against the cyder tax. It was said to be enormous in amount, and unequal in application. It was computed to equal the rent of the land from which it arose; and the occupier, being obliged to pay the whole sum within six weeks from the time of making the cyder, remained exposed, without allowance or drawback, to every loss arising from those accidents to which so hazardous a commodity is subject. To prove the inequality of the tax, it was alleged that all the different sorts of cyder were subject to the same imposition: of these there were computed to be four; the worst of which was made from the windfalls, and could only be serviceable for family consumption; this, and the other three sorts, varying in value from eight to fifty shillings a hogshead, were taxed alike, by which means the common drink of the day-labourer was subject to as heavy a charge as the luxurious beverage of men of ample fortunes. The assertion that it is impossible to discriminate the classes of cyder, so as to impose a proportionate duty, was decried as displaying more strongly the impolicy of the tax†.

Observations.

In this session, in consequence of a message from the King, the House of Commons voted a compensation to his subjects in North America, for expences incurred during the war, in levying, clothing, and paying troops raised by the respective provinces‡. The

14th March.
Relief to the
Americans.

* Coxe's Memoirs of Sir Robert Walpole, chap. 41.

† Case of the county of Devon, published by the direction of the committee.

‡ By an act passed this session, John Harrison received a reward of £5,000 for his ingenious labours toward the discovery of the longitude.

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19th April.
Prorogation.Change of
ministry.
5th April.

public business being early dispatched, Parliament was prorogued.

Soon after the passing of the cyder tax, when Lord Bute's friends and enemies considered him fixed in his office, and that the labours of a well-united opposition would be requisite for his expulsion, he astonished the public by a sudden resignation. Sir Francis Dashwood followed his example. Mr. Grenville succeeded them both as first lord of the treasury and chancellor of the exchequer; and notice was given to the foreign ministers, that His Majesty had confided the executive powers of government to Mr. Grenville, Lord Halifax, and Lord Egremont. A place in the cabinet was offered to Mr. Pitt; but he insisted on terms with which the King could not in honour comply: he demanded the removal of every person who had in any manner been engaged in making the peace; and even required that the terms of the treaty should be meliorated. The King answered, he would never withdraw his protection from those whose conduct he approved, or reprobate measures which he had sanctioned*. Mr. Fox was advanced to the peerage, by the title of Lord Holland, and Sir Francis Dashwood as Lord Le Despenser.

Observations
on Lord
Bute's re-
signation.

The sudden termination of Lord Bute's ministerial career; his dereliction of that power which it was thought his chief aim to acquire, and his principal labour to extend, gave rise to various contradictory speculations. By some it was attributed to fear of impeachment, augmented by the prospect of the Duke of Bedford's return from Paris, and the expectation of some important disclosures†. Some weakly imagined that the persevering attacks of the North Briton drove him from the helm‡; and others believed that he still retained his power, though he did not openly appear to exercise it. The reasons assigned by a writer, who probably did not make his statement without the privacy of Lord Bute, are these: "His resignation is in

* From private information.

† Life of Lord Chatham, vol. i. p. 425.

‡ History of the late Minority, p. 127.

“ consequence of a resolution early taken, and invariably adhered to by this extraordinary person ; who, seeing the nation involved in a consuming war, which, for various reasons, no minister but himself would put an end to, thought himself called upon, not only as the friend of his sovereign, but as the friend of his country, to undertake the difficult and dangerous task of making peace: this he happily accomplished, and made a peace which speaks for itself. In the prosecution of this great work, his life has been often threatened, and sometimes in danger from an exasperated multitude*; his character has been attacked with a virulence till now unknown : his relations, his friends, the place of his nativity, have been reviled ; and every possible method taken to discredit him with the public, and to ruin him with the King his master. This storm he endured ; and persevered with inconceivable constancy, till the peace was ratified, and approved by Parliament, and the business of the session brought to a conclusion : then he resigned, leaving the new ministry supported by a great majority in both houses, and not obstructed by those prejudices which had been so industriously raised up against him. This opinion of his having early taken a resolution to retire, is confirmed by the mildness of his administration, and his total neglect of the libels against him. He has accordingly retired without place or pension, disdaining to touch those tempting spoils which lay at his feet†.”

There is too great an appearance of precipitation in Lord Bute’s retreat, to sanction these suppositions ; even the King was not early apprized of his intention, and, from his good opinion of the Earl, lamented that he had lost a friend as well as a minister‡. It is absurd to suppose that fear of impeachment induced him

* This assertion was verified in the instances already mentioned ; his treatment at Guildhall, and as he was going to the parliament house, when the civil power preserved him. History of the late Minority, p. 127.

† Letter from a Gentleman in Town to his Friend in the Country, occasioned by a late resignation.

‡ From private information.

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to resign. Fear is a strange motive to assign for yielding up that which constitutes strength, especially when no measures were taken to make that sacrifice a bribe for forbearance. Besides, fear was a passion which never swayed the mind of this nobleman. In a confidential letter to Lord Shelburne, he expresses himself too fully and unequivocally to permit a suspicion of insincerity or deception. "As to titles or emoluments, had I ever been weak enough to ambition such trifles, all that the crown could possibly bestow have been within my grasp ever since the King's accession. The only question which then occurred with me was, how most effectually to support the King's honour, facilitate his measures, and produce the peace; for, to the accomplishment of these great points, every pulse beats, and every wish of my soul turns, holding the sacrifice of myself as nothing, if it procures any real advantage to my country; to him who is at once my king, my master, and my friend. No, my dear Lord, if the storm thickens, and danger menaces, let me stand foremost in the ranks. I claim the post of honour. Next to my little experience in business, my unwillingness to punish has been no little drawback upon me. I know the constructions put upon my conduct. Even my noble friend may sometimes have imputed actions to timidity, which sprang from motives of a more generous nature; but now, the King's situation, the perilous condition of the country, the insolence of faction, demand more determined action, and I have taken my part. The more I reflect," he adds, "on Mr. Fox's conduct, the more I admire the noble and generous manner in which he quits retirement and security, to stand with me the brunt of popular clamour, in support of the best of princes, against the most ungenerous, the most ungrateful set of men this country ever produced*."

The terms of the peace have already been so amply discussed, that it is unnecessary again to enter into

* From private communication.

their merits. Another charge, however, was brought against the minister,—that of having received a large sum of money from France*. After having for some years amused the public, and served as a theme to those declaimers who are always ready to repeat the grossest fables, if of a slanderous tendency, this allegation met its death in the House of Commons: it was brought forward by Dr. Musgrave, who, in a long examination, betrayed so large a portion of credulity, with so small a share of judgment, that the House, after a minute investigation, voted his information utterly frivolous, and unworthy of credit†.

It is improbable that Lord Bute, who had patiently endured the most virulent invectives, should be driven from the helm by so vapid a production as the North Briton. Mr. Burke properly characterized this weak and malicious series of libels, by calling it a milk and water paper, as much inferior to Junius in rancour and venom, as in strength, wit, and judgment‡.

In fact, the principal cause of his resignation was the want of support in the cabinet. In a private letter to one of his friends, before he retired from the helm, he more fully explained the real motives of his conduct: "Single," he said, "in a cabinet of my own forming; no aid in the House of Lords to support me, except two peers (Lords Denbigh and Pomfret); both the Secretaries of State silent; and the Lord Chief Justice, whom I myself brought into office, voting for me, yet speaking against me; the ground I tread upon is so hollow, that I am afraid, not only of falling myself, but of involving my Royal Master in my ruin.—It is time for me to retire§!"

The continuance of the ex-minister's secret influ-

* In support of this unfounded allegation, the public attention was often invidiously directed to Lord Bute's extensive buildings at Luton, and in Berkeley Square. Such magnificent undertakings proved his disregard of money, but they were not too great for his ample fortune. By his marriage with Mary, daughter of Edward Wortley Montague, he acquired an estate of £25,000 a year, besides £450,000 in the funds. Far from supplying his expences by means of the public money, he raised £90,000 by mortgage, and lived long enough to redeem the estate by frugality.—From private information.

† Debates, January 29th, 1770.

‡ Debates, 27th November, 1770.

§ From private information.

ence in the closet, for a considerable period, has been so repeatedly and confidently asserted, that to doubt it would seem rashness ; yet, perhaps, if we except the negotiations for ministerial changes soon after his resignation, in which he was occasionally the medium to communicate the King's intentions, no report was ever less consonant to truth ; for it was his constant and repeated complaint to his intimate friends, both on his travels and at home, that he was neglected by his sovereign. This avowal, from a man so cautious as Lord Bute, outweighs all the vague assertions of those who maintained the existence of a mysterious agency, and proves that the loss of his influence had sunk deep in his mind*.

Lord Bute's short administration was rendered additionally unpleasant by his own errors. His undertaking to make peace when the nation was eager for continuing the war, and his offending all those who, by popularity or family connexion, were enabled to co-operate effectually in his views, were rash, though laudable, exertions : and his danger was augmented by his negligence of public applause, and ignorance of the means by which it might be acquired. He was advised to condemn the clamours of the city, for on the least threat of the King's displeasure, those who were then at his throat would soon be at his feet† ; and though he neither esteemed nor respected the man who gave this counsel, the tenor of it seems agreeable to his mode of thinking ; the consequence was, that the city connected with the admiration of Mr. Pitt a factious and overbearing spirit of resistance to the exertions of government. Even the virtues of Lord Bute were not calculated to insure respect or conciliate affection. It is said of him, " No man could complain, " during his administration, of a promise broken, or " of hopes given and not fulfilled. No inferior person " in any department where he had served, who did not " passionately regret the loss of so easy, so kind a su-

* From private information. See also Burke's *Thoughts on the Cause of the present Discontents*, Works, 4to. v. i. p. 441.

† Letter from Lord Melcombe to Lord Bute, 8th October, 1761.

“perior*.” In diminution of this eulogium, it is to be remarked that Lord Bute made no promises, and gave no hopes, except to persons whose devotion he meant to secure; and that under him, the precedent was introduced, of removing every dependent of government, even to the lowest clerks in the public offices, to introduce others of his own nomination†. This proceeding created many enemies; and if it gave him some claims to gratitude, those claims were too slight and precariously founded to be much relied on. His patronage of literature and the arts was liberal and honourable: with what judgment it was bestowed, is not the province of history to discuss; but it does not appear open to the imputation of corrupt or sinister motives‡.

The character of this minister, as connected with his resignation, is well portrayed by a contemporary writer. “The support of the prince, the acquiescence of the people, the complaisance of parliament, and the baffled efforts of his rival, seemed now to have rivetted and established the Earl of Bute as a permanent minister. A feeble clamour without doors must have soon died away with the hopes of forcing his Lordship from his high department. To the astonishment of the world, to the certain ruin of his character as a politician, he suddenly resigned. The surprise of his enemies prevented them from taking advantage of the consternation among his friends. The former abused, the latter blamed him: both despised his conduct. This conduct, however, arose more from the character and disposition of the man, than from any public opposition to his measures, or private circumstances of intimidation. Though born with good parts, and a good heart, he was possessed of qualities which sullied the one, and made the other doubtful in the eyes of the superficial and

* Letter from a Gentleman in Town to his Friend in the Country, p. 11.

† Serious Considerations on the Measures of the present Administration, by Dr. Butler, Bishop of Hereford, p. 10. The same fact is asserted in innumerable other publications.

‡ Lord Bute's private virtues and social qualities are not descanted on, they do not form the subject of history; but they were numerous and estimable.

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“prejudiced. Surrounded with men whose weakness was known to the world, his judgment of mankind became suspected; and it was difficult to reconcile benevolence of temper, with a pride that rendered him inaccessible. Attached by nature to a retired manner of life, he contracted a shyness of disposition, which ought never to be carried into the highest department of the state. Habit established the companions of the obscure part of his life so firmly in his mind, that he sacrificed his reputation with others, to an appearance of attention to them. They were, however, his companions, but not his counsellors: he loved them for their good nature; his good sense forced him to despise their understandings. Intelligent, penetrating, and shrewd, he studied the theory of government with success; circumstances attending his youth, and a habit of retirement, circumscribed his knowledge in the practice. Mistaking the attention paid to his office and situation for actual attachment to his person, he was deceived by the designing; and he looked upon political desertion as a singular instance of depravity in the age. The noise and clamours of an interested few he took for the voice of the public; and thinking he had deserved well of the nation, he was offended at its ingratitude. He retired with chagrin; and his enemies owed the victory, which they ascribed to their own spirit and conduct, to an adventitious mistake in his mind*.”

Character of
Mr. Gren-
ville.

Mr. Grenville, who was at the head of the new administration, was son of George Grenville, esquire, of Wootton, in the county of Bucks, by Esther, sister of Lord Cobham. He was bred to the law; and in 1741 was initiated in parliamentary and official business. He was successively appointed lord of the treasury and admiralty, and treasurer of the navy, under George II., and secretary of state, and first lord of the treasury, in the present reign. To a masculine understanding, and resolute mind, he joined an unwearied application, and

* Political Conduct of the Earl of Chatham, p. 18.

considered business not as a duty which he was to fulfil, but a pleasure he was to enjoy. He won his way to power through the laborious gradations of public service; and secured to himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its affairs*. A constant attention to the forms of business, rendered him methodical in debate; but, although he was not distinguished by the graces of eloquence, his speeches were replete with sound knowledge, and displayed a thorough acquaintance with his subject. His political life was chequered by diversities of connexion and opposition: he came into office under the auspices of Lord Cobham, and continued under the standard of his brother, Earl Temple, till the beginning of the present reign. Jealousy of his brother-in-law, Mr. Pitt, and other concurrent circumstances, broke the family phalanx; and although Mr. Grenville afterward coalesced with Lord Temple, he was never reconciled to Mr. Pitt.

Lord Bute is accused of having begun a paper war, by hiring writers to support his administration and vilify his opponents†. There is some truth in the suggestion that certain writers were liberally, or rather extravagantly, paid for their exertions in behalf of government‡; but Lord Bute did not begin the paper war, and the authors on his side did not equal their opponents in scurrility. If the practice of employing men of letters to defend the proceedings of government has any justification, it must be found in the circumstances of the times, when, from an extreme strictness of regulation, no accounts of the debates in either house were given to the public, and their chief information on the topics agitated in Parliament was derived

Virulence of
political publications.

* Burke's Works, 4to. vol. i. p. 541.

† History of the late Minority, p. 77.

‡ This does not seem to have been a measure of Lord Bute's own suggestion, but to have flowed principally from Lord Melcombe. See his Diary, p. 419, 245. In a letter to Lord Bute, dated 8th October, 1761, Lord Melcombe says, "Mr. Pitt may think, by going out upon a spirited pretence, to turn the attention and dissatisfaction of the public on those, who, at a ruinous expence, are to carry on his wild measures, and whom they have been taught to dislike, by a total abandonment of the press to him and his creatures, which I humbly hope you will think proper to employ better."

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North Bri-
ton.

from the lords' protests, and such pamphlets as detailed, in a partial and equivocal manner, the arguments used by the members.

However it might originate, the licentiousness of the press now became unbounded, and disgraceful to the nation, and it was thought necessary to attempt restraining this intolerable torrent of calumny. The late minister endured, with great equanimity and forbearance, the abuse to which he was subjected, and did not use the lash of power against a man who had openly avowed his resolution, "to try how far it was practicable to carry the licentiousness of writing, under pretext of exercising the liberty of the press*."

This individual was John Wilkes, member of parliament for Aylesbury, the avowed author of the *North Briton*, a periodical paper, in which every public measure was arraigned and ridiculed with coarse invective and scurrilous ribaldry. This licence was carried to such an extent in the observations on the King's speech at the prorogation of Parliament, published in the forty-fifth number of the *North Briton*, that it was judged expedient to issue a warrant from the secretary of state's office, requiring four messengers in ordinary to make strict search for the authors, printers, and publishers of the above seditious and treasonable production, to apprehend and seize them, together with their papers, and bring them before the secretary of state.

Under this authority, one Leach, a printer, to whom the messengers had been erroneously directed, was apprehended, but discharged. Kearsley, the avowed publisher, was next taken into custody, and voluntarily acknowledged, before Lord Halifax, the secretary of state, that one Balfe was the printer, and Mr. Wilkes the author of the paper. Balfe confirmed the same facts; and, the crown-lawyers being of opinion that the publication of a libel was a breach of the peace, and therefore not a case of privilege, the messengers were directed, by virtue of the same warrant, to bring Mr. Wilkes before the secretary of state. The officers were

23rd April.

26th.

General war-
rant issued.

29th.

* Smollett's Complete History of England, vol. xvi, p. 212.

instructed to execute their warrant the same night; but Mr. Wilkes objecting to the general terms in which it was worded, and threatening the messengers with his vengeance, if they offered violence to his person at that unseasonable time, they desisted till next morning; when he was arrested, and, having in vain demanded a copy of the writ, carried before Lord Halifax. In the account which he has given of this transaction, his behaviour appears to have been firm, his answers spirited and judicious; a compound of that decision which never fails to make an advantageous impression, and that disdain, unspotted with contumelious expression, which always casts on those to whom it is addressed a reflection of contempt. His position was one which a man of wit and knowledge of the world must certainly turn to good account, and the ministry suffered from having afforded him such advantages.

When Mr. Wilkes was first apprehended, he received a visit from Lord Temple, who by his request applied to the court of Common Pleas for a writ of habeas corpus. The motion was granted; but before the writ could be prepared, Mr. Wilkes, having refused to answer questions, was committed to the Tower, detained in close custody, and admittance refused to his friends, and even his counsel and solicitor*.

These were the circumstances which brought under public discussion one of the most important points relative to liberty which had been agitated since the Revolution; the legality of general warrants. The importance of the object communicated itself to the parties concerned in the transaction, and made some parts of their conduct, which would otherwise have escaped observation, worthy of particular attention. The ministry could not justly incur blame for exerting the power with which they were invested, in punishing a libel so audacious as the forty-fifth number of the North Briton: it became a very distinct matter from personal forbearance, to tolerate the circulation of a writing, in which the King was accused of having

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29th.

30th April.
Wilkes ar-
rested.

Habeas
corpus
moved for.

Wilkes com-
mitted to
the Tower.

Observations.

* Wilkes's Letter to the Duke of Grafton, Dec. 12th, 1767. Republished in Almon's Correspondence of Wilkes with his Friends, vol. iii. p. 184.

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uttered a lie from the throne. Of such a crime it is no extenuation to distinguish (as Mr. Wilkes afterwards did*, and in fact did in the very publication) between the King and his minister: the treasonable suggestion is not mitigated by supposing the King the mere engine through which the minister deludes the people. It is a point of propriety and delicacy, in the course of parliamentary debate, when an address to the throne is under discussion, to shew respect to the King, by considering his speech as the production of the minister, in order to take away all appearance of offence from the free manner in which it is canvassed. In such a debate it would be quite correct to dispute the facts contained in the speech, still treating them as the assertions of the minister; but when a public writer, in order to stigmatize the minister, involves the sovereign as an accomplice in a charge so meanly criminal as that of uttering a direct falsehood, the pretence that the speech is considered as that of the minister, is rather in the nature of guilty subterfuge, than of respectful distinction.

With respect to the warrant; common sense, the constitution, and the subsequent decision of the courts, concur in pronouncing it illegal; but the ministry who used it were not liable to censure. It lay before them as a customary process, which had been resorted to, even recently, by the most popular ministers: nor was their attention directed to the warrant itself, but to its effect: the opinion of crown-lawyers was not taken on the extended question, whether a general warrant was legal; but whether Mr. Wilkes's offence was such as justified the use of it, and whether his privilege protected him against its operation.

The first habeas corpus had no operation, because it was directed to the messengers, and not issued until Mr. Wilkes was out of their custody. A new one was ordered, directed to the constable of the Tower, in obedience to which Mr. Wilkes was brought before the court; in a flippant speech, he exposed his griev-

Further proceedings.
3rd May.

* See his speech in the Court of Common Pleas, 3rd May.

ances, and accused the ministry of having recourse to this mode of persecution, because they had failed in their attempt to corrupt him. The court took time to consider of the arguments adduced, and at length the chief justice delivered their joint opinion, that the warrant was not illegal, but that Wilkes was entitled to a discharge, by virtue of his privilege; a libel not being in itself a breach of the peace, but criminal as having a tendency to occasion one, and a member being intitled to privilege in all cases, except treason, felony, and breach of the peace. This benefit he owed to the gratuitous admission of the counsel for the crown, that he was a member of parliament*. A prosecution was immediately instituted against him by the attorney general for publishing the North Briton.

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6th.
Wilkes dis-
charged.

Conduct of
Lord Temple.

In these proceedings, Lord Temple stood forward the avowed supporter and patron of Mr. Wilkes, and shared the popularity resulting from the contest†. The King, having deprived Mr. Wilkes of his commission as colonel in the Buckinghamshire militia, his lordship, as lord lieutenant, announced that resolution in such terms, and accompanied with such assurances of regret, and complimentary testimonials, that his name was expunged from the list of privy counsellors; he was also dismissed from the lord lieutenancy of Buckinghamshire, and Lord Le Despenser was appointed in his stead.

Wilkes de-
prived of his
commission.

Lord Tem-
ple dismissed.

7th.

But although Lord Temple supported Mr. Wilkes with a warmth resulting from a conviction that he was improperly treated, and with vigour sufficient to protect him from suffering under malevolence, or misconstruction of the law, he did not approve the violence

* In delivering judgment on this point, the chief justice used these words :
" It remains to be considered, whether Mr. Wilkes ought not to be discharged :
" the King's counsel have thought fit to admit, that he was a member of the House
" of Commons, and we are bound to take notice of it. In the case of the seven
" bishops, the court took notice of their privilege from their description in the
" warrant : in the present case there is no suit depending ; here no writ of privilege
" can therefore issue, no plea of privilege can be received ; it rests, and must rest,
" on the admission of the counsel for the crown ; it is fairly before us upon that
" admission, and we are bound to determine it." Digest of the Laws concerning
Libels, p. 49.

† It is said that this nobleman applied for admission to see Mr. Wilkes, and, being refused, observed, " I thought this was the Tower ; but I find it is the
" Bastile." Lord Orford's Works, vol. v. p. 99.

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and malignity which characterised his paper, or the national reflections with which it abounded. He advised Mr. Wilkes to remain in a state of dignified resignation, and await the decision of Parliament, and the award of the courts. This line of conduct* would have suited Lord Temple in similar circumstances; but the only aim of Mr. Wilkes was to court persecution, for the sake of acquiring popularity. He no sooner obtained his discharge, than he wrote a scurrilous letter to the secretaries of state, which he printed and distributed profusely, asserting that his house had been robbed, and the stolen goods were in their possession. The secretaries of state, instead of treating this desperate effort with merited contempt, returned an answer, which gave him an opportunity of appealing to their sense of propriety, for an observance of those laws of decorum which he had so utterly neglected†.

Death of
Lord Egremont.
21st Aug.

The cabinet, which had always been considered extremely weak, was still further enfeebled by the sudden death of Lord Egremont, whose great abilities and influence gave weight to his measures. Lord Bute, sensible the ministry could not continue, waited on Mr. Pitt, and, obtaining a clear statement of his opinions with respect to men and measures, procured for him an interview with the King at Buckingham House. Mr. Pitt's situation was thus rendered extremely delicate: to refuse advice and assistance, when solicited by his sovereign, was impossible; but, as the jealous vigilance of opposition was ever ready to take alarm, a certain degree of publicity was the best means of avoiding suspicion. He went through the

25th.
Negotiation
with Mr.
Pitt.
27th.

* It is of the utmost importance to the memory of Lord Temple, to make a strong discrimination between his character, and that of Mr. Wilkes, which is represented in the blackest colours of profligacy, inhumanity, meanness, and venality; see Letter to Lord Temple, &c. &c. And it is proper to observe that there is not the least shadow of truth in Mr. Wilkes's allegation, that the ministry persecuted, because they could not corrupt him. He was, on the contrary, eager in pursuit of diplomatic or official employment, and, so lately as February, 1761, had written to Mr. Pitt, an earnest, not to say fawning, supplication for some appointment, and particularly indicated the Board of Trade. Correspondence of the Earl of Chatham, vol. ii. p. 93.

† The statement of proceedings against Mr. Wilkes, and the reflections on them, form the subjects of a great number of pamphlets, and occupy a considerable portion of all the periodical works of the day, from which this narrative has been extracted.

Mall in his gouty chair at noon-day, the boot of which (as he said himself) made it as well known as if his name was written upon it. His Majesty received him most graciously, and, during an audience of three hours, listened to him with great patience and attention. Mr. Pitt descanted on the infirmities of the peace; the things necessary, and hitherto neglected, to improve and preserve it; the state of the nation, both foreign and domestic; and specified the great Whig families who had been driven from His Majesty's service, whom it would be for his interest to restore. The King made no objections to any of these statements, except by saying, that his honour must be preserved; and directed Mr. Pitt to attend him again on the next day but one, being Monday.

Mr. Pitt, well satisfied, from His Majesty's apparent acquiescence, that a cabinet would be formed according to his suggestions, on a Whig basis, repaired, without a moment's delay, to Claremont, and arranged with the Duke of Newcastle the new administration. He also undertook to apprise the Duke of Devonshire, and the Marquis of Rockingham; the Duke of Newcastle was to inform Lord Hardwicke.

28th Aug.

The next audience subverted these hopes; for, when Mr. Pitt named his coadjutors, the King mentioned some persons whom he wished to introduce into the administration, and laid down a plan for a general arrangement. Mr. Pitt, without circumlocution, told His Majesty that a ministry could not be carried on without the noble families who had supported the revolution government, and other great persons in whose abilities and tried integrity the public confided from experience, and who had weight and credit with the nation. His Majesty suddenly terminated the conference by saying, "Well, Mr. Pitt, I see (or I fear) this will not do. My honour is concerned, and I must support it."

29th.

This remarkable transaction, which was commenced without any communication to the ministry, furnished ample materials for animadversion and conjecture. It was supposed by the Earl of Hardwicke, from whose

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letter the information on this topic is principally derived, that, in the day which intervened between Mr. Pitt's first and second audience, some strong effort was made which produced the alteration.

But, with great deference to this opinion, the change of the King's sentiments may be ascribed to other causes. The only person who could be supposed to influence the royal mind was Lord Bute, and he had no motive to adopt such a line of conduct; for, in both these conferences, Mr. Pitt expressed no objection to unite with him, and the ministry could not act with cordiality toward one who had attempted to displace, without consulting them. It is more probable, that, at the first interview, the King, transported by Mr. Pitt's rapid and commanding eloquence, overlooked the inevitable tendency of his arrangement,—that of subjecting the throne to the domination of certain powerful families; but in the intermediate day, he had reflected on the subject; and when the second conference took place, although he was willing to assure to Mr. Pitt and his friends a complete ascendancy in the cabinet, by making Lord Temple first Lord of the treasury, Lord Hardwicke president of the council, and Mr. Pitt secretary of state, yet he would not submit to the exclusive spirit which induced Mr. Pitt to attempt filling the whole council-board with one strong, compact, weighty influence. This opposition of principle terminated the discussion, and Mr. Pitt declared that, if examined on oath, he could not tell upon what the negotiation broke off, whether upon any particular point, or upon the general complexion of the whole. In the House of Commons, on a subsequent occasion, he contradicted absolutely every thing that had been circulated as to the unreasonableness of his demands*.

Such is the account of this transaction, derived from Mr. Pitt, and communicated by a nobleman

* Lord Hardwicke's letter to a near relation (Lord Royston) on the subject of a ministerial negotiation in 1763, printed for Jervis and Debrett, 1785: *Anatomy of a late Negotiation*; and a general abstract of the accounts of this interview, which were given to the public in the *Gentleman's Magazine* for 1763, p. 451; see also Dr. Birch's Papers, British Museum, No. 4926, fo. 177, et seqq. For the last statement, Letter of Gerald Hamilton to Mr. Calcraft, Feb. 1766; *Chatham Correspondence*, vol. ii. p. 378; and *Lord Barrington's Memoirs*, p. 91.

whose sound sense cannot be doubted, and whose veracity is above suspicion; but he relates only what he was told; and, on the other hand, it is said that Mr. Pitt's demands were most exorbitant, such as could only be expected to be granted by a King in Carisbrook castle. It was admitted, too, that the King had shewn a proper spirit and great ability in resisting terms which amounted to dictation, although proposed by a person so skilful and so powerful.

This treaty having failed, the Duke of Bedford formed an administration, in which he was lord president of the council, Lord Sandwich secretary of state, Lord Egmont was placed at the head of the admiralty, and Mr. Grenville retained his situation of first lord of the treasury and chancellor of the exchequer. The Duke's reason for this measure is said to have been an honourable feeling of the injustice of Mr. Pitt's system of exclusion, which would have driven from office Lord Gower, Lord Sandwich, and several more of his personal friends. The career of the new ministry began at an inauspicious moment, when the whole nation seemed replete with jealousy, alarm, and discontent.

One great source of uneasiness was, for a while, removed in the person of Mr. Wilkes, who disgraced his character, and forfeited all prospect of support from persons of respectability. After his liberation from the Tower, instead of following the advice of discerning friends, and acting with the dignity becoming a champion of popular freedom, he adopted a line of conduct equally violent and mean: finding the printers averse to incur the danger of publishing his productions, he established a press in his own house, and distributed proposals for printing by subscription, at the price of one guinea, "The Proceedings of Administration on his Case;" but to his great disappointment, very few subscribers presented themselves*. He next committed to his press an obscene and blasphemous poem, called "An Essay on Woman;" the title being a parody on that of Pope's Essay on Man.

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2d, 10th
Sept.
Duke of
Bedford's
ministry.

Wilkes publishes
sundry
libels.

* History of the late Minority, p. 203.

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A sheet was communicated, through one of Wilkes's journeymen printers, to Mr. Kidgell, chaplain to Lord March, and laid before the secretaries of state*. His press was also employed in a new edition of the first forty-five numbers of the North Briton, with notes and corrections; a measure also repugnant to the counsel of his friends, as it furnished more certain means of conviction in the prosecution instituted against him; but he disregarded advice, and, having put his work in a state of forwardness, went to pass a few weeks in France†.

And goes to
France.

* See Kidgell's Narrative, published by Robson and Wilkie, 1763. It is alleged, in mitigation of Mr. Wilkes's crime, that no more than a dozen copies were printed. History of the late Minority, p. 206.—Answer to Kidgell's Pamphlet, p. 8.

† History of the late Minority, p. 211. During his stay in France, Mr. Wilkes was insulted by a Scottish gentleman of the name of Forbes, and was, in order to prevent a duel, put under an arrest.

CHAPTER THE SEVENTH.

1763—1764.

Meeting of Parliament.—Proceedings respecting Mr. Wilkes.

—Riot on burning the North Briton.—Further proceedings in Parliament.—Actions tried against the messengers.—Observations of Lord Camden.—Frantic attempt to assassinate Mr. Wilkes.—He returns to France.—Marriage of the Princess Augusta.—Mr. Wilkes expelled the House of Commons.—Debates on privilege, and on general warrants. Mr. Wilkes's trial and outlawry.—Supplies.—Resolutions for taxing America.—Prorogation of Parliament.—View of American affairs.—Government of Canada.—Intrigues of the French in Canada.—Indian war.—Regulations for prevention of smuggling.—Conduct of the New England provinces.—Dr. Franklin sent to England as agent.—His character.

MR. WILKES's case was the first object which engaged the attention of Parliament. On the return of the Commons to their own house, after hearing the King's speech, Mr. Grenville anticipated any other motion*, by stating that His Majesty having received information that John Wilkes, Esquire, was the author of a seditious and dangerous libel, published since the last session, had caused him to be apprehended and detained for trial. He then recapitulated the proceedings in the courts below, and laid on the table the libel, with the examinations of the bookseller and printer. An address of thanks was voted, and a majority of the house† resolved, the paper entitled the

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15th Nov.
Meeting of
Parliament.
Proceedings
respecting
Wilkes.

* The address on the King's speech was moved the 17th, and carried without debate: it contained the congratulations of the House on Her Majesty's safe delivery of a second son, which took place the 16th August.

† 237 against 111.

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Wilkes's
complaint of
a breach of
privilege.

North Briton, number forty-five, to be a false, scandalous, and seditious libel, and that it should be burned by the hands of the common hangman.

When this motion was disposed of, Mr. Wilkes, premising that in his person the rights of all the Commons of England, and the privileges of Parliament, had been violated, stated the circumstances of his arrest and discharge, and the proceedings against him in the court of King's Bench by subpcena. He requested the judgment of the House on his privilege; declaring, however, that if they decided in his favour, he would waive the advantage, and put himself on a jury of his country. The further consideration of the King's message, and the case of privilege, was adjourned to the twenty-third.

Complaint
against
Wilkes in the
House of
Lords.

On the same day a complaint was made in the House of Lords of the Essay on Woman, which was produced. Lord Sandwich dwelt with great force on the profaneness and obscenity of the production; and Dr. Warburton, Bishop of Gloucester, complained of a breach of privilege, as the author, to render the parody on Pope's Essay on Man more complete, had affixed the learned Prelate's name to one of the notes*.

16th Nov.
Wilkes's
duel with
Martin.

This unexpected attack exhibited to the delinquent the effects of his imprudence, and he gave way to the violence suggested by despair. In the course of debate in the Lower House, Mr. Martin, member for Camelford, who was attacked in some of the early numbers of the North Briton, declared the author, whoever he might be, a malignant and infamous coward. Mr. Wilkes sent a letter to Mr. Martin, acknowledging himself the author of the paragraphs complained of; the consequence was a meeting in Hyde Park; the parties fought with pistols; and Mr. Wilkes was dangerously wounded.

23rd and
24th Nov.
Debates on
his case.

The question of privilege was debated with great warmth during two days. On the second, the speaker

* History of the late Minority, p. 233. It has afforded some ground of surprise, and furnished topics of ridicule and censure, that the Earl of Sandwich should stand forward as Mr. Wilkes's principal accuser on this occasion, because Lord Sandwich's conduct was not considered sufficiently moral: render him a fit champion in such a cause.

produced a letter from Mr. Wilkes, who requested the further consideration might be deferred till he was able to attend; but the House resumed the debate, and finally resolved, "That the privilege of Parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws, in the speedy and effectual prosecution of so heinous and dangerous an offence*." The resolutions made on the first day of the session were also confirmed; and as the concurrence of the lords was deemed of great importance, a conference was desired. No debates on this subject are preserved, except a speech of Mr. Pitt, who vehemently reprobated the facility with which Parliament surrendered its own privileges; but he carefully impressed on the House, that he was merely delivering a constitutional opinion, and not vindicating either the libel or its author. "With respect to the paper itself," he said, "the House had already voted it a libel; he joined in that vote. He condemned the whole series of North Britons, as illiberal, unmanly, and detestable. He abhorred all national reflections. The King's subjects were one people. Whoever divided them was guilty of sedition. His Majesty's complaint was well founded; it was just; it was necessary. The author did not deserve to be ranked among the human species, he was the blasphemer of his God, and the libeller of his King. He had no connexion, nor did he associate or communicate with any such writer†."

* 258 against 132.

† This speech drew down upon Mr. Pitt a furious denunciation from Mr. Wilkes, in his letter to the Duke of Grafton already referred to. It would be fatiguing, no less than disgusting, to recapitulate the terms of abuse which are applied both to his politics and his heart; but Mr. Wilkes asserts (and the reader may give what value he pleases to Mr. Wilkes's assertion), that in 1754 Mr. Pitt had seen, approved, and complimented him upon the very poems he afterward so strenuously condemned. Now, that party feeling has subsided, it is difficult to imagine how such low and witless invectives as the *North Briton*, No. 45, or such clumsy blasphemy and obscenity as the *Essay on Woman*, and its concomitant poems, should ever have been thought worthy of notice. Indeed, the whole proceeding warrants Wilkes in saying, "The two accusations are only so far connected, that I am convinced there is not a man in England who believes that, if the first (No. 45) had not appeared, the second (the poems) would ever have been called in question." Address to the Electors of Aylesbury, reprinted in *Almon's Memoirs*, vol. iii. p. 88.

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25th Nov.
In the lords.

The resolutions of the Commons were at the first conference left with the lords, and produced an animated debate. None of the speeches are preserved, except that of Lord Lyttelton, who defended the proceedings of the Commons with great ability and manly eloquence. He entered into the history of privilege, and analyzed the powers of the crown and parliament, combating the application of the doctrine of inviolability in certain cases, among the most atrocious of which, he placed the dissemination of seditious libels. He particularly insisted on the malignant and dangerous tendency of publications calculated to weaken the connexion between England and Scotland; and contended, with great force of argument, against the apprehensions entertained of unduly extending the power of the crown, by the decision of the present question. As the offence was bailable, there was no reason to fear that the power vested in the secretary of state could be abused to any dangerous purpose; on the contrary, both government and liberty were as safe as the imperfection of human policy would allow. Acknowledging the purity of the principles which animated the lords in opposition, he concluded by saying; "In order to preserve the independence of Parliament against any future violation on the part of the crown, it will be necessary to preserve the reputation of Parliament in the minds of the people, and the love of it in their hearts. How, my lords, can this be done, if they find it an obstacle to that equal justice which is their birth-right, and their safety? Upon the whole, I am confident your lordships will, on no account, depart from that maxim, which is the corner-stone of all government, that justice should have its course, without stop or impediment. *Jus, fas, lex, potentissima sint.* This, my lords, is the very soul and essence of freedom. Obstruct this, and you immediately open a door to all violence and confusion; to all iniquity, and all the cruelties of private revenge; to the destruction of private peace, the dissolution of public order, and, in the end, to an unlimited and despotic authority, which we must be

"forced to submit to as a remedy against such intolerable evils. The dominion of law is the dominion of liberty. Privilege against law, in matters of high concernment to the public, is oppression, is tyranny, wheresoever it exists."

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The lords concurred in the resolutions of the commons; but a long and spirited protest, signed by seventeen peers, replete with constitutional learning and ingenious argument, was entered on the journals.

Protest.

At a conference, a dutiful and affectionate address to the King was voted, blaming, with proper asperity, the wanton indignity he had sustained. Mr. Wilkes was also ordered to attend at the bar of the House of Commons in a week, if his health would permit.

1st Dec.
Address the
King.

2nd.
Wilkes or-
dered to at-
tend at the
bar.

The execution of that part of the sentence which related to the burning of the North Briton, was committed to the superintendence of Alderman Harley, one of the city members, and a sheriff of London. This operation was rendered extremely difficult and dangerous by the tumultuous disposition of the populace, who, combining the names of Wilkes and Liberty, considered the punishment of the one, a death-blow to the other. The sheriffs and other officers, when assembled at the Royal Exchange to perform their duty, were assailed by a furious mob, pelted with filth and stones, and grossly insulted. The glass of Harley's chariot was broken by a billet of wood, plucked from the fire, and thrown at his person. Alarmed at this appearance of premeditated violence, he went to the Mansion-house, and apprized the Lord Mayor of the outrage; the executioner followed, and the constables were obliged to retire, after their staves had been broken by the populace. The pieces of the libel were rescued, and carried in triumph to Temple Bar, where a bonfire was made, and a large *jack-boot* committed to the flames*.

3rd.
Riot on
burning the
North Briton.

These proceedings being reported to both houses, they voted that all persons concerned in the riot, their aiders and abettors, were perturbators of the public

6th & 7th.
Vote of the
Commons on
the subject.

* In ridicule of *John Earl of Bute*.

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peace, dangerous to the liberties of the country, and obstructors of national justice. Thanks were voted to the sheriffs, and the King was addressed to give directions that the most effectual methods might be taken for discovering and prosecuting the offenders. One of them was convicted.

7th.
Proceedings
on Wilkes's
case deferred.

In consequence of the order for the attendance of Mr. Wilkes, an eminent physician and surgeon* appeared at the bar, and stated that he could not, on account of his health, obey the injunction. The time was then enlarged for a week; at the expiration of which, the same persons again making a similar report, the period was extended beyond the term allotted for the Christmas recess; but to prevent collusion, a physician and surgeon†, named by the House, were directed to attend Mr. Wilkes, and report their own opinion on his case, on the 19th of January. The discussion of his complaint of a breach of privilege was adjourned to the same day.

Actions
against the
messengers.

Numerous actions had been commenced against the messengers, by persons arrested under the general warrant, to recover damages for false imprisonment. They were all tried in the court of Common Pleas, and verdicts of various amounts recovered. At the first of these trials, at Guildhall, Mr. Wilkes was present, and had the satisfaction of being loudly cheered by the populace, while the Solicitor-general, who was of counsel for the defendant, was no less loudly hissed‡. Mr. Wilkes had also brought actions against the two secretaries of state, and against Mr. Wood, under-secretary of state, for injuries sustained on the same occasion. The proceedings against Lord Egremont abated by reason of his death. Lord Halifax, by various exertions of privilege, and, at length, by standing out in contempt of the court, procured delay till Mr. Wilkes was outlawed§. The action against Mr.

July 9th.

6th.

* Dr. Brocklesby and Mr. Graves.

† Dr. Heberden and Mr. Cæsar Hawkins.

‡ Letter from Dr. Birch to Lord Royston; Papers, British Museum, No. 4321, fo. 161.

§ In a transaction of this nature, history can hardly be too minute; the means of delay used by Lord Halifax are therefore exactly specified; they appear dis-

Wood was tried before a special jury at Guildhall, and, after a hearing of fifteen hours, a verdict was given for a thousand pounds damages; bills of exception were allowed in these causes. The Lord Chief Justice, on this occasion, extended his former opinion so far as to declare the warrant unconstitutional, illegal, and absolutely void. "If it be good," he said, "a secretary of state can delegate and depute any one of his messengers, or any, even from the lowest of the people, to take examinations, to commit, or release, and, in fine, to do every act which the highest judicial officers the law knows can do or order. There is no authority in our law books that mentions this kind of warrants, but in express terms condemns them. Upon the maturest consideration, I am bold to say, this warrant is illegal; but I am far from wishing a matter of this consequence should rest solely on my opinion. It may be referred to the twelve Judges, and there is a still higher court, before which it may be canvassed, and whose determination is final. If these superior jurisdictions should declare my opinion erroneous, I submit as will become me, and kiss the rod; but I must say, I shall always consider it as a rod of iron for the chastisement of the people of Great Britain."

The judgment respecting the illegality of general warrants was afterward, on arguing the bills of exceptions, affirmed by Lord Mansfield*.

Soon after the verdict in Mr. Wilkes's favour, a

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Observations
of Lord Chief
Justice
Pratt.

creditable to the cause in which they were employed. Original was issued, tested the first day of June, and returnable from the first day of the Holy Trinity, in three weeks (19th of June, 1763); and the Earl being summoned, cast an essoign, which was adjourned until the 18th of November. Then he availed himself of his privilege, which being at an end, and all the essoigns expired, a distringas was taken out, tested the 9th of May, being the first day of Easter term 1764, returnable from the day of Easter in five weeks (27th of May); the Sheriff returned forty shillings issues. The Earl did not appear: the court directed fifty pounds issues. An alias distringas was taken out, tested the 30th of May, and returnable on the morrow of the Holy Trinity (18th of June); the Sheriff returned his issues. The Earl still refused to appear: the court ordered five hundred pounds issues. A pluries distringas was taken out, tested the first day of Trinity Term (the 22nd of June); and returnable in three weeks of the Holy Trinity (the 8th of July). In November following Mr. Wilkes was outlawed; then the Earl appeared and pleaded the outlawry.—*History of the late Minority.*

* Sec 3 Burrow, 1762.

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Frantic at-
tempt to
assassinate
Mr. Wilkes.

9th.

19th.

man called at his house, but, being refused admittance, went to a coffee-house in the neighbourhood, and declared that he and ten more were determined "to cut Wilkes off, let the event be what it might." He again applied to see Mr. Wilkes, and was taken into custody, when a new penknife was found in his pocket. A complaint was made in the House of Commons; but, his insanity being clearly proved, the House discharged him from further attendance; the Court of King's Bench committed him, for want of sureties to keep the peace*.

Mr. Wilkes refused to admit the visits of the two medical men appointed by Parliament; but, in vindication of his own friends, called in two others. His case, however, does not seem to have been so dangerous as represented, since, in a few days after the recess, he departed for Paris.

21th Nov.

29th.

Marriage of
the Princess
Augusta.

In the course of the session, the King announced to Parliament, by message, a proposal of marriage from the Prince of Brunswick and Lunenburg, to his eldest sister the Princess Augusta; and the sum of eighty thousand pounds was voted for her dowry. The Prince came to England early in the ensuing year, and the marriage was solemnized.

1764.

16th Jan.

19th.

Wilkes ex-
pelled.

When Parliament met after the recess, the order of the day being read for the attendance of Mr. Wilkes, the Speaker produced a letter from him, inclosing a certificate of one of the French King's physicians, and an army surgeon, importing that, from the state of his wound, and its probable consequences, he could not, without danger, leave Paris. This certificate was not authenticated before a notary public, nor were any other regular means taken to insure its credit in England; and as his whole conduct appeared calculated to evade their authority, the House, most properly, resisted a motion to adjourn the consideration of the charges against him, and proceeded to an immediate hearing of evidence. The examination lasted until

* This man's name was Alexander Dunn. The fact is recorded in every periodical publication.

three o'clock in the morning; when it was resolved, that number forty-five of the North Briton, which had been voted a seditious libel, contained expressions of the most unexampled insolence and contumely towards His Majesty, the grossest aspersions on both Houses of Parliament, and the most audacious defiance of the authority of the whole legislature; that it had a manifest tendency to alienate the affections of the people from the King; to withdraw them from their obedience to the laws, and to excite them to traitorous insurrections against government, and that Mr. Wilkes should be expelled, and a new writ issued for Aylesbury.

20th.

Notwithstanding his expulsion, his complaint of a breach of privilege came on, in due course, to be debated in the house; and occupied their attention during several days. The chief object of administration was to separate the supposed delinquency of Mr. Wood and Mr. Webb, the under-secretaries of state, against whom complaint was made, from the question on the legality of general warrants, and to confine themselves to the discussion of the mere act of those gentlemen, so as not to prejudice the question, then undecided in the courts of law*. After examining evidence, and hearing the parties in their own defence, the complaint was discharged. A motion was made to produce the warrant under which they had acted, but rejected. A general question was submitted to the house, "That a warrant for apprehending and seizing the author, printers, and publishers of a seditious libel, is not warranted by law." This motion was afterwards amended by adding, "Although such warrant has been issued according to the practice of office, and has been frequently produced to the Court of King's Bench; and, so far as appears to this house, the validity thereof has never been doubted, but the parties have been bailed by the court." The principal point of defence urged by the ministry, and, in fact, their best ground for exculpation, was long-esta-

13th, 14th,
17th, Feb.
Debates on
the breach
of privilege.

And on general warrants.

* The Chief Justice of the Common Pleas had given an opinion at nisi prius, but the decision on the bills of exceptions was yet reserved.

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blished precedent; and they cited two instances in which Mr. Pitt issued general warrants.

Mr. Pitt said, all the crown had desired, and the ministers wished, was accomplished in the conviction and expulsion of Mr. Wilkes; and therefore it was now their duty to do justice to the nation, the constitution, and the law; but the ministers and law officers, by evading the discussion, appeared conscious that the warrant was illegal. He denied that precedent afforded any justification; and said, when he himself issued such warrants he knew them to be illegal; but, preferring the general safety, in time of war and public danger, to every personal consideration, he ran the risk, as he would of his head, had that been the forfeit, upon the like motive, and did an extraordinary act, against a suspicious foreigner, just come from France, and who was concealed, at different times, in different houses. He distinguished strongly between his case and that before the house: "What was there
"in a libel so heinous and terrible, as to require this
"formidable instrument, which, like an inundation,
"bore down all the barriers and fences of happiness
"and security? Parliament had voted away its own
"privilege, and laid the personal freedom of every
"representative of the nation at the mercy of His
"Majesty's Attorney-general. If the house negatived
"the motion, they would be the disgrace of the present age, and the reproach of posterity; who, after
"sacrificing their own privileges, had abandoned the
"liberty of the subject, upon a pretence wilfully
"founded in error, and manifestly urged for the purpose of delusion."

The ministry, in general, avoided the question of legality, confining themselves entirely to precedent, and the impropriety of deciding a subject which was yet to be discussed in the courts below. The opposition had arranged their motions with great care, at several meetings held at the house of Sir George Savile*. They began the debate, it is said, in full con-

* History of the Minority, p. 270.

fidence of victory; but, after a long discussion, the question of an adjournment for four months was carried by a small majority, several friends of the ministry dividing in the minority*.

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Mr. Wilkes, having entered an appearance, was found guilty on both the prosecutions, for publishing the North Briton and the Essay on Woman; but his popularity was undiminished, and the spirit excited by the proceedings against him unallayed. On the very day of his trial, the common council voted thanks to the city members for their zealous and spirited endeavours to assert the rights and liberties of the subject, by their laudable exertions on the late question respecting general warrants, and exhorted them to persevere in the same course. At the same time, in manifestation of the sense they entertained of the inflexible firmness and integrity of Lord Chief Justice Pratt, they voted him the freedom of the city, and requested that he would sit for his picture, to be placed in Guildhall, in gratitude for his honest and upright decision on the validity of the warrant. Mr. Wilkes was afterwards outlawed for not appearing to receive judgment†.

21st.
Wilkes tried.

Proceedings
of the common
council.

1st Nov. 1763.
Wilkes out-
lawed.

The supplies for this year amounted to £7,771,000; the deficiency was raised, without new taxes or a lottery, by the renewal of the Bank charter for twenty-one years, for which government received a hundred and ten thousand pounds‡; by the produce of French prizes taken before the declaration of war, amounting to seven hundred thousand pounds; and by two millions from the sinking fund.

Supplies.

* 234 against 220. General Conway voted in this minority, although, in every other instance, he supported the ministry. This single act gave so much offence, that, at the rising of parliament, he was deprived of all his civil and military employments. Lord Orford's Works, vol. ii. p. 547, vol. v. p. 105; and for a description of his speech and the whole debate, see Lord Orford's Letters to the Earl of Hertford. Works, vol. vii. p. 58.

† On several occasions, the debates were conducted with great asperity; but they are not preserved. A specimen may be seen in a letter from Horace Walpole to the Earl of Hertford, 27th January, 1764. Works, vol. vii. p. 182. The letter is very lively and interesting; strongly marked with the political feelings and characteristic levity of the writer.

‡ This was not the only advantage accruing to government from the transaction. The Bank also undertook to circulate a million in exchequer bills, bearing four per cent., which were then at a discount. Sinclair's History of the Revenue, vol. iii. p. 16.

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1764.

10th March.
Resolutions
for taxing
America.

5th April.

19th April.
Prorogation
of Parlia-
ment.View of
American
affairs.

It was also deemed advisable, this year, to contemplate America as a source of future revenue; and resolutions were brought into the house for regulating the trade, and imposing duties on certain articles of American commerce; they formed the basis of an act, which afterward passed the legislature, and directed that the new duties should be paid in specie into the English exchequer. These resolutions were accompanied with one for introducing a stamp duty into America; but the minister withdrew it for the present, in order to allow time for the colonists to petition against it, when brought forward in another session.

In the speech on proroguing Parliament, the King, advertng to the measures respecting America, said: "The wise regulations which have been established to augment the public revenues, to unite the interests of the most distant possessions of my crown, and to encourage and secure their commerce with Great Britain, call for my hearty approbation."

The affairs of America assumed, from this period, an unexpected importance; and this attempt to derive from the colonies a revenue for the relief of the mother-country, laid the foundation of one of the most extraordinary contests recorded in history; important not to England alone, but, by its consequences, affecting the whole civilized world.

The great accession of territory acquired by the peace, demanded no less wisdom than genius for its government; and it seems almost to exceed the art of the politician to frame such a system as would, without imposing the yoke of slavery, preserve the tie of dependence over an immense tract of colony, so far removed from the parent shore. The inhabitants of great part of North America were strongly imbued with the spirit of liberty which characterizes the natives of Britain, from whom they derived their origin, and with that jealous irritability which is the companion and best guard of uncontaminated freedom.

Without penetrating into the remote periods of history with critical exactness, it will be proper suc-

cinctly to point out the difference in the inhabitants of various parts of the British American dominions, and their habits and propensities, so as to form a clear estimate of their motives and springs of action. The colonies were resolved into three grand divisions: the Northern, Middle, and Southern.

The Northern, or New England Provinces, comprehending New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut, possess a less fertile soil than the other parts of America; but supply large pasture for herds; the uncultivated parts produce good timber, and their seas abound with fish. The natives are healthy, strong, and vigorous; keen, penetrating, active, and enterprising. Their origin, derived from the fanatics, who, in the reign of Charles I., fled from persecution in England, to exercise it in America, was still discernible in their manners, conduct, and habits.

The Middle Provinces, which include New York, New Jersey, Pennsylvania, and Delaware, afford the means of agriculture, and are favourable to the breed of cattle. Their soil is rich: and they are enabled to export wheat, flour, and furs. The inhabitants are robust, frugal, persevering, and industrious; plain and honest in their dealings; but of rude, unpliant manners, with little penetration, and less knowledge. The greater part of their country had been ceded to the crown of Great Britain by the Dutch and Swedes. Pennsylvania was a settlement of Quakers, for whom the celebrated Penn had framed a wise and consistent code of laws. Their prosperity and unobtrusive character rendered them easy to govern; and, until seduced or irritated, they were faithful in their attachment to Great Britain.

The Southern Provinces, under which denomination are included Maryland, Virginia, North and South Carolina, and Georgia, exhibit a considerable variety of climate and manners. In the most southern parts, where the intense heat renders labour impracticable to any but Africans, the people are pallid, tall, slender, indolent, voluptuous, and ostentatious; yet shrewd, intelligent, and hospitable. The inhabitants of Mary-

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land, Virginia, and South Carolina, were distinguished for their imitation of the people of Great Britain, which extended to every particular of their furniture, dress, and manners. The natives of North Carolina were hardy and robust, chiefly employed in rearing cattle, and remarkable for their expertness in the use of rifle-barrelled guns.

Virginia, the earliest British colony in America, which owed its name to Elizabeth, and its establishment to James I., had risen, from a miserable handful of emigrants, not exceeding a hundred, to a state of great wealth and prosperity. The inhabitants, as strongly marked in their character as those of the New England colonies, were exemplary in their attachment to monarchy: they were the last of the British subjects who yielded to the successful arms of Cromwell, and the first of the colonists who proclaimed Charles II. Maryland, ever prosperous, free, and happy, was originally a settlement of Catholics, whom Charles I. reluctantly persecuted, and who retained an affectionate allegiance to the crown. North and South Carolina were granted by Charles II. to some noblemen and persons of rank, who engaged Locke to form a constitution; but this great gift of an immortal genius was no blessing to the people; they did not thrive till the government of England annulled their constitution, and subjected them to the more practical system of Virginia*.

Such were the people whom Mr. Grenville proposed to subject to taxation, for the purpose of easing the burthens of England. In the first view of this project, it is only necessary to examine its general expediency or impropriety, leaving the various measures originating from it to be discussed in the periods which produced them.

The participation which America claimed and enjoyed in the benefits of the Revolution, rendered it merely reasonable that the colonies should contribute

* Chiefly from Stedman's History of the American War, Introduction. See also Chalmers's Political Annals. Raynal's History of the East and West Indies, book xvii. and xviii. Morse's American Geography, &c. &c.

toward the discharge of a debt incurred in support of the government, which was to them the source of liberty and prosperity. The last war was undertaken principally on account of America, and a great part of the debt contracted in that which preceded had originated in the defence of that country*. The practice of imposing taxes by authority of parliament on the transatlantic dominions was not new; it had been used ever since their establishment; not to an extent sufficient to afford great advantage to the country, but abundantly sufficient, so far as precedent can be required, to support the right of the mother-country to draw pecuniary relief from her dependencies†. The principle, at the period of passing the resolutions in parliament, was not deemed open to an objection; and it was considered necessary, as well as just, to realize the advantages which had been promised from the colonization and protection of that distant continent‡.

In opposition to the rights of Great Britain, thus supported by precedent and every known principle of colonization, certain abstract propositions were assumed, and descanted on with a violence adapted to a cause already secure of partizans, and requiring only a plausible vindication. Among these, were the axioms, that in all free states every man is his own legislator; that all taxes are free gifts for public services; and that no one community can have any power over the property or legislation of another community that is not incorporated with it by a just and adequate representation§. Without discussing the abstract truth of these positions, as applied to independent states, it must be obvious that, with respect to colonies, they can never be founded on general principle, but merely on peculiar and adventitious circumstances. No man can be rash enough to assert, that when the first British emigrants established themselves in Virginia;

* Smith's *Wealth of Nations*, vol. iii. p. 459.

† See the Rights of Great Britain asserted, p. 102, and the Statutes there enumerated, from 12th Charles II. to 6th George II.: also Stedman's *History of the American War*, vol. i. p. 10, and p. 44.

‡ Smith's *Wealth of Nations*, vol. iii. p. 466.

§ Price's *Observations on the Nature of Civil Liberty*, p. 6—19.

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when their diminutive colony of a hundred, reduced by sickness and the climate to one half of that number, hung with all the weakness, and all the solicitude of infancy, on the protecting support of the parent land; that then these fifty individuals, stationed in a desert, and occupied chiefly in the pursuit of food, were defrauded of their privileges as British subjects, because no provision was made for their representation in the national councils. When afterward, by numerous emigrations, the colonists had acquired a more respectable establishment; when their charters had given permanence to their possessions, and the force and wisdom of the mother-country were liberally exerted in favouring their prosperity; when, as a title to these benefits, they industriously procured the insertion of a clause in their charters, importing that they were still to be considered as Englishmen; and when, in return for such protection, they submitted to those impositions which, though not profitable to Great Britain, fully established the principle of taxation by parliament; at these periods no one can assert that their rights were invaded, or not duly consulted*. But when the mother-country, exhausted by a protracted war, looked to its wealthy and flourishing colonies for relief; then these pleas were advanced, which never were, which never could have been before resorted to, and which now could only be justified by the populousness and strength which America had derived from the protection of Great Britain. The same arguments, if true in the abstract, would equally apply to the Isle of Man, to Nevis, or the most diminutive of the colonies; if the application depended merely on force, they would either suppress the spirit of colonization, or indicate so clearly the only means of securing subjection, that it would become a rule of policy to abandon colonists to their fate, with unsolicitous apathy, or to prevent their future independency by damming up the sources of prosperity.

Such principles had never regulated the practice of the British government; and the ministry who

* See Chalmers's Political Annals, chap. ii.

thought of imposing a tax on America, could not be expected to foresee the effects which afterwards resulted from the attempt. The law-officers of the Crown could only reason from the usage and experience of past ages; the cabinet had no other guide: no warning voice raised itself in the House of Commons: but the measure was suffered to pass through in silence, as one of those plans of external regulation, which proceeded rather from the executive than the deliberative power, and where concurrence is given without steadfast examination.

Whatever cogency may now be ascribed to deductions drawn from isolated propositions, in a case where success is resorted to as the most convincing argument, the right of taxing America seemed at this period so incontestible, that any person who, before the measures were actually adopted, had insinuated the possibility of opposition, would have been derided as the wildest of speculatists. Whether the ministry acted wisely, under all the circumstances of the times, in their attempt to tax the colonies, will be better gathered from the subsequent narrative, and the observations to which it gives rise, than from an accumulation of objections and replies.

The expulsion of the French from North America, which afforded so much satisfaction to all parties, in the treaty of peace, was, in fact, an error in politics, which soon produced its own punishment. Canada having been retained as more than equivalent to the conquests ceded in the West Indies, government was anxious to prove the choice judicious, by forming such establishments as would most speedily and effectually produce advantageous returns to the country. The conquered territory was divided into three governments, Quebec, East Florida, and West Florida*, each of which had its boundaries precisely assigned, and its functions so regulated as to present the greatest probability of eventual benefit. With becoming moderation and prudence, the British ministry did not include

Government
of Canada.

7th Oct.
1763.

* There was besides a new West India Government, called the Government of Grenada, extending over that island, the Grenadines, Dominica, St Vincent's, and Tobago.

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Intrigues of
the French
in Canada.

great part of the ceded lands in these governments; lest the Indians, who were extremely irritable, should take umbrage at seeing their country minutely parcelled out by the colonists.

But when the authority of the French ceased in Canada, neither their influence nor their enmity left the shores. They had always conciliated the good-will of the Indians more effectually than the English settlers. Their establishments were military, and their spirit of commerce not being so predominant, they had merely participated in the rights of hunting with the natives. The British Americans, arrogating to themselves an exclusive possession of the territory; by force, by fraudulent conveyances, and other acts of chicanery, grounded on the abuse of treaties, expelled the Indians not only from their hunting grounds, but even from their homes*. The French Jesuits had acquired a considerable ascendancy over the minds of these savages, and, soon after the peace, began to exert it to the prejudice of the British settlements.

Indian war.

Instigated by these emissaries, the Indians presented some well-founded complaints of encroachment, and protested against any title to the lands occupied to their prejudice, which might be derived from deeds, as they had been fraudulently obtained. The governors to whom these complaints were addressed, evinced a disposition to treat them with due attention; but the Indian deputies, after stating their grievances, departed, and prepared to execute an extensive plan of preconcerted hostilities. Their project was to assemble all their forces, to make an attack on the back settlements in harvest time, and to complete the ruin of their enemies by fire and indiscriminate slaughter. This enterprise failed in part, through the too great ardour of some young Indians; but was effected to a dreadful extent, and with a perseverance and combination which evidently proved they had European advisers.

* See Pownall's Administration of the British Colonies, vol. ii. p. 174, 186, et seqq. And imputations very discreditable to the honour and humanity of the British Americans, in their conduct towards the Indians, are advanced by Dr. Tucker in the Epistle Dedicatory to his fifth Tract on American Subjects.

They spread such terror and destruction through the back settlements, that all the frontier country of Pennsylvania, Maryland, and Virginia, was deserted; and, by plundering and murdering the itinerant dealers, and intercepting convoys of merchandise, did great injury to the trading towns in America. They also took several forts in the Canadian territory, and butchered the garrisons without mercy.

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1763.

Recovering from their consternation, the British prepared for defence, and sent reinforcements to several forts, which were regularly blockaded. The savages displayed unwonted resolution and perseverance; they were well disciplined, never afforded an easy conquest, and sometimes gained the victory, although opposed by the superior tactics of European troops. Captain Dalyel, who attacked them near Fort Detroit, was killed, and his detachment compelled to retire; and Colonel Bouquet, marching to the relief of Fort Pitt, formerly Fort Du Quesne, was furiously assailed by the savages, whom it required all his skill and resolution to repulse; and, though victorious, he was glad to reach the place of his destination, after sacrificing his baggage, and great part of the supplies intended for the garrison. Near the carrying place of Niagara, five hundred Indians surrounded an escort, and slew seventy privates, beside serjeants and commissioned officers; but, notwithstanding these successes, when the forts were put in a proper state of defence, all apprehension of danger subsided.

30th July.

5th Aug.

Governor Sir William Johnson displayed great address in detaching the Indians of the Six Nations from the confederacy, and gaining their assistance against those who still persisted in hostilities. Having surrounded and taken prisoners a party of Delaware Indians, he brought the Senecas to terms of peace; and, after some few insignificant contests with detachments of the other tribes, the flames of war were extinguished*.

Mar. 1764.

3rd April.

* Smollet's Complete History of England, vol. xvi. p. 264, 409. Bouquet's Historical Narrative of the Expedition.

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1764.
Resolutions
for the pre-
vention of
smuggling.

While this contest was raging in America, a regulation, made in Great Britain for imposing a restraint on smuggling, was extended to their coasts. The revenue being greatly defrauded by the arts and perseverance of contraband adventurers, it was judged expedient, at the termination of the war, to put in commission several small ships, with cutters and tenders, which were stationed on the different coasts of Great Britain and Ireland. The commanders were invested with powers similar to those delegated to revenue officers, and took the same oaths.

In Great Britain and Ireland, where an enlarged spirit of commerce produces a just system of conduct, the distinction between the fair merchant and the smuggler is strongly maintained, and, whatever penalties the illicit trader may incur, he meets neither pity nor countenance from the respectable part of the community. In America and the West Indies, the notions were widely different; nor was their judgment entirely founded on selfishness or dishonesty. The trade from the West Indies to the Spanish settlements, although contraband, not only supplied the colonies with specie, which could not be derived from Great Britain, but formed a market for numerous commodities received from the mother-country, and enabled the North Americans to traffic advantageously with the West India islands, and to pay in money their taxes and duties. The extent to which the practice of smuggling was carried, both in America and the West Indies, was in a certain degree prejudicial to the revenue, and demanded regulation; but the absolute suppression of contraband trade was not consistent with the interest of the colonies, or of the mother-country. Any system long and advantageously pursued to such an extent as to be sanctioned by the majority both in numbers and respectability, is not to be contemplated as a mere abstract question of propriety; but the habits, powers, and dispositions of the parties concerned, should be studiously examined, and leniently considered, in all regulating acts. The powers of government ought also to be correctly estimated, and no measures pursued which will oc-

casion sullen discontent, or violent and durable opposition; and in all cases, even when positive crimes are to be repressed, such a line of conduct should be adopted as will leave to the sufferers no just ground of complaint.

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The extensive coasts of America were peculiarly favourable to the practice of illicit trade; and, the disposition of all ranks of men combining with their habits and necessities to encourage it, force alone could effect its suppression. It may be fairly doubted if force, used to deprive an individual of his acquisition, where no shame attends the loss, is a fit instrument of commercial regulation; but where such unpopular means are employed, they should be only entrusted to persons so carefully selected as to prevent the imputation of undue exertion. Naval men, although most fit in one respect, were utterly unqualified in another: the spirit of enterprize which made them useful in war, rendered them dreadful in peace; and the same disposition which constituted their glory when employed against an enemy, was the foundation of numerous complaints when their assistance in the suppression of smuggling was extended to America. It was alleged that the fair and clandestine trader were equally exposed to violence; that the naval officers were unacquainted with the custom-house laws, and therefore made many illegal seizures; while the American traders having no redress but from England, the tediousness and difficulty of obtaining it left them in fact without relief. The merchants complained of the stagnation of commerce, occasioned by the suspension of intercourse with the Spanish settlements: an enmity against the officers of the navy, originating in their new employ, gained ground, and was assiduously maintained by abusive and insulting paragraphs daily issued from the press.

While such was the state of the public mind among the inhabitants of America; while the yell of Indian carnage yet was in their ears, and the smoke of their ruined habitations before their eyes; their rage and despair were further inflamed by the arrival of the British resolutions for imposing taxes. A more un-

Effect of
the proposed
taxation on
the Ameri-
cans.

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favourable moment could not have been selected. The unaccommodating regulations on trade gave no hope of compromise or evasion of the new duties. The Americans perceiving in these resolutions the first appearance of a general and extensive plan of taxation, the limits of which, being concealed from their sight, were magnified to their apprehension, determined not to wait for the gradual exposure of the plan to combat it by parts, but to strike at once at the basis, by denying the right of the mother-country to impose taxes on the colonies, which, not being represented in parliament, did neither really nor virtually consent to the imposition*.

Conduct of
the New
England
provinces.11th Dec.
1764.

In these, and all the subsequent transactions of the American revolution, the New England provinces, and Massachusetts in particular, took the most active and leading part. They passed resolutions against the proposed laws, which were transmitted to their agents, and to the board of trade, and laid before the privy council†. From these circumstances, it has been asserted and believed, that the natives had formed, long before this period, a deliberate system of separation from Great Britain. This opinion is in part true; but the desire of independence was limited to persons so inconsiderable, both for number and situation, as not to afford reasonable grounds of apprehension. The inhabitants of the Northern provinces never lost the original inflexibility of their republican ancestors, nor the captious spirit of the ancient sectaries. So early as 1754, there were men in these, and some of the other colonies, who held independence in prospect, and who were determined to seize every opportunity of promoting it, and increasing their numbers‡. The proposed taxation afforded these malcontents an opportunity of combining the inhabitants of all the colonies in such measures as would ultimately favour their

* An accurate and impartial account of the law and proceedings on this occasion is to be found in Marshall's life of General Washington, vol. ii. chap. 2.

† Stedman's History of the American War, vol. i. Introduction—Almon's Collection of Papers, &c. relative to the war with America, vol. i.

‡ Examination of Joseph Galloway before the House of Commons, p. 2.—Andrews' History of the American War, p. 11.

views; and this opportunity they diligently and assiduously improved. They had now a pretence for appealing to the sense of the country at large against the exertion of authority by Great Britain, without hazard of offending the most loyal or respectable Americans. They easily engaged their fellow-citizens to desist from the use of those luxuries with which they had been hitherto supplied from the mother-country; and thus uniting the spirit of revenge and injury with plausible pretexts of economy, established an effectual, permanent, and extensive principle of opposition and resistance*.

They chose Dr. Franklin, as agent for America, to exert in England his talents and influence in defeating the measures complained of; a choice which had great effect on the subsequent transactions of the colonies. Dr. Franklin, bred to the trade of a printer†, and at an early period of life obliged to rely on himself alone for subsistence and advancement, was rendered cautious, attentive, and circumspect. Although his efforts had been rewarded by a competent fortune, and the postmastership of America, he did not resign himself to indolence, but still pursued the employments of his younger years with unabated perseverance. An affectionate attachment to literature and natural philosophy, acting upon a bold and ardent genius, rendered him daring and adventurous, but left him all that minute attention and patient calmness, which combine trifling accidents and little causes in the promotion and perfection of the greatest designs. His eloquence was simple, but nervous and commanding, and, both in speaking and writing, abounded with those brief apophthegms which make a forcible impression on the mind, subjugate the judgment, and are never eradicated from the memory. The projects of Franklin, which in another would have seemed exaggerated and preposterous, were by him so well planned and so

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Dr. Franklin
sent to
England.

His charac-
ter.

* Andrews' History of the American War, vol. i. p. 36.—Stedman's History, vol. i. p. 23.—Almon's Collection of Papers, &c. vol. i. p. 2.

† He was originally apprenticed to a tallow chandler, but, disliking that trade, became a printer. Memoirs of the Life and Writings of Dr. Franklin, by his Grandson, W. T. Franklin, vol. i. 4to. p. 6.

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industriously pursued, that they never failed to produce the most extensive, and to all but himself, unexpected results. His fortune, his knowledge, and his great work, the American revolution, are incontrovertible proofs of the immense labours which may be achieved by the union of genius, judgment and perseverance.

CHAPTER THE EIGHTH.

1765.

State of Ireland.—Retrospective view of its constitution and government.—State of parties at the King's accession.—Disputes in the cabinet.—Conduct of Lord Halifax, the lord lieutenant.—Outrages of the lower class of people.—The Earl of Northumberland lord lieutenant.—Debates on the pension list.—State of foreign powers.—The French seize and restore Tortuga.—Spain commits irregularities—but makes satisfaction.—Affairs of Poland and Russia.—Meeting of the British parliament.—Taxation of America.—Debates on General warrants.—On informations ex officio.—The Isle of Man annexed to the realm.—Regency act.—Insurrection of silk-weavers.—Negotiations for a change of ministry.—Meeting of the ministry in Downing-street, and terms proposed by them to the King.—Rockingham administration formed.—Death of the Duke of Cumberland—and of Prince Frederick.

THE uninterrupted series of events has hitherto prevented a due attention to the affairs of Ireland, which from the beginning of the reign excited an unusual degree of interest. The government of Ireland, as connected with Great Britain, was daily becoming more difficult: an enterprising spirit of liberty on one hand, and an equitable desire to temper the strictness of rule by the mild operation of beneficent laws and usages, on the other, occasioned many perplexed questions of right and policy, and favoured the views of men who aimed, by means of popularity, to attain the heights of political elevation. As the disputes to which their efforts gave birth are of considerable interest, a brief retrospect will be necessary.

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State of Ire-
land.

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Retrospect of
the constitution and go-
vernment.

From the first introduction of the English into Ireland, to the reign of Henry VII., the intercourse between the countries was not established in a system of extensive and permanent utility: chance and force directed the operations of the crown and of the subject; and although the laws of England were declared the rule of government, still the people were but imperfectly restrained or protected by them; and no recurrence to the King was necessary to sanction the laws which originated in Ireland.

This anomaly in legislation was productive of much inconvenience and oppression; and Sir Edward Poynings, lord deputy in the tenth year of Henry VII. framed, at the request of the parliament and the people, the celebrated statutes known by his name. That part which related to the formation of laws, ordained that, before a parliament should be convened, the chief governor and council should certify to the King, under the great seal, the consideration and causes, and the articles of the acts to be proposed: and when the King in council should have approved or altered such acts, and returned them certified, under the great seal, with permission to summon a parliament, then the acts so certified, and no others, might be proposed, received, or rejected in the Irish Senate.

This act gave stability to the constitution, facilitated the intercourse between the Sovereign and the subject, and reconciled the different views of the two nations, by preventing precipitate determinations on their mutual or peculiar interests; but as its restrictions were found too severe in precluding the framing of any law suggested after the sitting of parliament had commenced, a statute of 3 and 4 Philip and Mary, c. iv. enacted, that new propositions might be certified to England in the usual forms, even after the summons and during the session*. Thus, a beneficial relaxation took place; the Parliament assembled if a single bill

* See Lord Montmorres' History of the Irish Parliament, vol. i. p. 47. et seq. History of the Political Connexion between England and Ireland, p. 92. Hume's History of England, vol. iii. p. 367 Blackstone's Commentaries, vol. i. p. 99; and Christian's Note on this part of Blackstone, p. 103.

was forwarded to England, and the heads of subsequent statutes were afterward transmitted, as occasion arose, until the prorogation*.

From this period the benefits of the British constitution were rapidly extended to Ireland, till the rebellion in the reign of Charles I. and the cruel massacres and confiscations which took place during the commonwealth. At the restoration, Charles II. generously waived his right to the forfeited lands; and the parliament of Ireland, in grateful return, vested the revenue, which was in general fully sufficient to answer all exigencies, in the crown for ever.

The bill usually sent over from Ireland to the King in council was a money bill; and the practice was so generally adopted, as to be considered merely of course. Once only an attempt was made, in a critical period of the English history, to impede the operations of government by a popular pretext of exerting the constitutional right of the House of Commons to hold the national purse. This was four years after the Revolution†, when Lord Sydney, chief governor of Ireland, was sent over for the purpose of holding a parliament to regulate the affairs of that kingdom, which had fallen into great disorder. The parliament was summoned in the usual manner, according to Poynings's law; several bills were transmitted from the governor and council to England, and returned under the great seal, two of which were bills of supply. One of them granting an additional excise was passed; but, before the first reading, the House came to resolutions; that it was the undoubted right of the Commons of Ireland, in parliament assembled, to prepare the ways and means of raising money; that it was the sole and undoubted right of the Commons to prepare heads of a bill for raising money; and that, notwithstanding the aforesaid rights of the Commons, they thought fit, in consideration of the present exigencies of affairs, and the public necessity of speedily raising a supply for Their Majesties, to order a bill

* Lord Montmorres, *ubi sup.*

† In 1692.

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transmitted out of England, intitled, "An act for an additional excise," &c. to be read, but that it should not be drawn into precedent. The other bill, "For granting to Their Majesties certain duties for one year," was rejected, and a resolution entered on the journals, stating as a reason that it did not take its rise in the Irish House of Commons.

Lord Sydney, considering the constitution violated by this proceeding, soon afterward prorogued the parliament, having first animadverted on their proceedings with considerable severity, and entered a protest against them on the journals. The judges, both of Ireland and England, on a solemn consultation, declared the claim of the Irish House of Commons unfounded in law.

This parliament never sat again; but a new legislature fully recognized the right against which their predecessors had contended. The practice of passing money bills transmitted by the privy council, and returned from England, was afterward invariably followed, according to the principle implicitly recognized by the Irish parliament, in a note to the lord deputy, entered on the Journals of the House of Commons, the 29th of November 1614, in these terms: "The House of Commons, acknowledging the sole power and authority to transmit such bills as are to be propounded in parliament to rest in the lord deputy and council, do only desire to be as remembrancers unto his lordship and the rest, touching the acts following, which they humbly offer as meet to be transmitted with such other acts as his lordship and council shall think fit to be propounded in the next session."

The principle thus acknowledged was not soon again brought into dispute; but during the reign of George I. a turbulent opposition in Ireland gave great embarrassment to the ministry, and, in the affair of Wood's patent for the coinage of copper*, completely triumphed over the exertions of government. In this

* In 1725.

contest, the British minister, Sir Robert Walpole, was highly sensible of the disadvantage accruing to government from permitting the important offices of lord primate and lord chancellor to be occupied by natives; and therefore, when Lord Middleton resigned the great seal, West, an Englishman, was appointed in his stead; the situation of lord primate being already filled by Boulter, Bishop of Bristol, an Englishman, who had been appointed on the death of Linsay, in 1724.

This prudent arrangement gave an appearance of unanimity in the proceedings of government, till the appointment of Dr. Stone* to the primacy in 1747; soon after which a contest for power between him and Mr. Henry Boyle, Speaker of the House of Commons, and afterwards Earl of Shannon, embroiled the cabinet.

Residence was not, at that period, a part of the lord lieutenant's duty, and therefore, except on urgent occasions, the public business was transacted under the auspices of great men in office, who held a commission as lords justices.

Mr. Boyle was a man whose understanding, naturally of the first class, was improved by a long acquaintance with the laws of his country, and whose experience was matured by having long sustained a prominent part in the conduct of public affairs: the number of his friends was augmented, and their adherence secured by his affable manners, and the honourable inflexibility of his attachment. Dr. Stone, who rose to his dignity under the patronage of the Duke of Newcastle, united a supple, insinuating address with a presumptuous mind, and insatiable ambition. He was desirous immediately to seize the reins of power, which Mr. Boyle, who maintained his pre-eminence with firmness and dignity, was unwilling to resign.

In 1751, the Duke of Dorset was appointed lord lieutenant; and he, acting under the influence of the Duke of Newcastle, in support of Dr. Stone, formed

† The Rev. George Stone, D.D. was brother of Andrew Stone, confidential secretary to the Duke of Newcastle, and by his Grace's interest was appointed Dean of Derry, Bishop of Ferns in 1740, and after successive translations to the sees of Kildare and Derry, was raised to the primacy.

a new junto, of which he was the ostensible leader. This innovation convulsed the cabinet; and the rage of party extending itself over the whole nation, almost every individual ranged himself on one or the other side. The talents and exertions of Mr. Boyle were sufficient to embarrass the proceedings of government, and on one question, in 1753, he succeeded in obtaining a majority against the ministry; but perhaps his influence was less conspicuous in this advantage, than in preventing the numbers, which were not greatly in his favour*, from being inserted in the journals. On this occasion he was dismissed, with all his adherents.

These dissensions, however, so impaired the energy of government, that the Marquis of Hartington, afterward Duke of Devonshire, who was appointed lord lieutenant in 1755, effected a compromise with Boyle, whose friends were reinstated in their offices, and himself, in 1756, advanced to the peerage, with the title of Earl of Shannon. The primate being thus in a sort of disgrace, made overtures to his rival, and a coalition was effected.

In 1757, the Duke of Bedford was appointed lord lieutenant. He found the House of Commons principally governed by certain individuals of family and influence, who, returning a majority of members, were enabled to make their own terms with government, and were distinguished by the name of Parliamentary Undertakers†. During the Duke's administration a new party arose in the House of Commons, who arrogated to themselves the title of The Patriots. It was formed, in general, of men of moderate fortune, but extensive ambition, of middle rank, and great abilities. They professed a decided antipathy to government, and to the overbearing authority of the undertakers, and occasionally lent their aid to one or the other party, as best suited their views of diminishing the power of each. When government was at variance

* 122 to 117.

† See a Philosophical Survey of the South of Ireland, by Dr. John Watkinson, p. 57.

with the undertakers, they ranged on the side of government; but finding themselves abandoned, and their opponents readily received into favour, they entered into open hostilities with both.

As the hereditary revenue granted to the crown would, if, discreetly managed, have been sufficient to answer all the necessary charges of state, the patriots, sensible that their cause would be effectually promoted by subjecting the servants of government to fiscal embarrassments, made their chief effort to load this revenue with charges, under plausible pretences. For this purpose, during the administration of the Duke of Bedford, they passed an act for granting a bounty on corn and flour brought by land-carriage to Dublin, which, while it answered their great political intent, was a gratifying job in favour of landed men in distant counties. Whether through treachery, supineness, or the fear of opposing so popular a measure as that of supplying the capital with provisions, the undertakers lent their aid, and the lord lieutenant was, at length, induced to sanction the bill. In ordinary years, this bounty amounted to £50,000; but in great harvests to a much larger sum. The Duke of Bedford, sensible of the diminution which would thus be effected in the revenue, was desirous to limit the duration of its provisions to a term of years; but the popularity of the measure, and the urgent instances of its promoters, induced him to grant it his support. They also promised to establish a fund to repair the deficiency in the permanent revenue; but, when they had attained the desired object, never thought it necessary to fulfil their engagement. This bounty was capable of becoming extremely embarrassing to government, as it was not payable out of the treasury, but out of the revenues *in transitu* in the hands of the collector of customs in the port of Dublin.

At the accession of the King, the Primate, Lord Shannon, and Mr. Ponsonby, Speaker of the House of Commons, were lords justices; the lord lieutenant had resided only one year; the lords justices governed the country according to their own views, and regulated

Conduct of
the chan-
cellor of the
exchequer.

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VIII.

1762.

every department without control. They now attempted to obtain popularity, by introducing a new practice, and were joined in this effort by Mr. Malone, chancellor of the exchequer, who in opposition had been highly popular, and resolved to embrace this opportunity of regaining the influence over the public mind, which he had lost by accepting a ministerial situation. The privy council being assembled, a doubt was suddenly suggested on the propriety of sending over a money bill, as the rejection of it by the Irish House of Commons was anticipated, which would occasion the dissolution of the new parliament, and thus give rise to much dissatisfaction: in support of this opinion, a standing order of the Irish House of Commons, made in the year 1727, was cited. As the lord chancellor (Lord Bowes) had been previously referred to, and given his opinion that, according to custom, a money bill should be sent, this objection was in fact a surprise. It was obviously a mere attempt to gain popularity; but as a strong party in the council supported the objection, it became necessary for the chancellor and his friends to maintain their opinion. Debates were carried on with great virulence, and party rancour inflamed to its highest pitch. The popular junto at length prevailed so far as to alter the established usage, by sending a bill, not for a supply to the King, but relating to a vote of credit for Ireland. This was open to every objection which applied to the usual bill, and was, besides, unnecessary, as the appropriated duties already voted by parliament would not expire till December, 1761*.

Arrival and
conduct of
Lord Halifax
as lord
lieutenant.

6th Oct.
1761.

In this position of affairs, the Duke of Bedford was recalled, and succeeded by the Earl of Halifax. The exalted character of this nobleman, his integrity, independence, and intrepidity, warranted sanguine expectations of a vigorous and successful administration. On his arrival, he received the usual compliments with dignified graciousness, and his deportment, joined to the reputation of his talents, instantly gained a degree

* Lord Bowes' Letter to Dodington.

of popularity which his subsequent conduct enabled him to retain*. He met the parliament with a judicious and sensible speech, in which he strongly recommended unanimity, and a forbearance of public heats and private animosities. He secured his popularity by earnestly enforcing the necessity of attending to the natural advantages of the country, agriculture, and the linen manufactory; and recommending a proper regard to the Protestant establishment, by encouraging the charter schools.

CHAP.
VIII.

22nd Oct.

While he persevered in this line of conduct, there was no probability that he would become subservient to the views of any party; an insidious attempt was therefore made to diminish his reputation for independence, by a resolution carried in the committee of accounts, and afterward passed in parliament. It stated the annual appointments of the lord lieutenant to be inadequate to the dignity of the office, and the House therefore requested His Majesty to grant such an augmentation as would make them amount to sixteen thousand pounds. The liberality of this vote claimed the thanks of Lord Halifax; he applauded the motives on which it was founded, but said, as it had been his duty, in the course of the session, to propose plans attended with great public expense, and to enforce economy, he could not, without pain, submit that the establishment, already burthened in consequence of his suggestions, should be further charged for his particular profit; but while he disclaimed the application of their liberality to himself, he recommended that the augmentation should be provisionally made, and conferred on his successor. This dignified and manly conduct disarmed faction; the business of the session proceeded with uninterrupted harmony; liberal votes were passed respecting the several objects mentioned in His Excellency's speech†, and he declared himself perfectly satisfied with his situation,

26th Feb.
1762.

* Letter from Lord Bowes to Mr. Dodington, 16th Oct. 1761.

† See proceedings in the Irish parliament in the different periodical publications.

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VIII.

Outrages of
the lower
class of
people.

superior to party, and resolved that the King's authority should not suffer in his hands*.

The internal tranquillity of Ireland was disturbed by a band of desperadoes, sometimes called Levellers, from their levelling the walls and ditches under pretence of restoring the commons to the poor; and at other times White Boys, from wearing a shirt or white garment over their clothes. The union of these banditti was secured, and the increase of their numbers favoured, by oaths of secrecy, and by wreaking their vengeance on those who refused to concur in their measures. They continued to harass government for many years, and the civil and military power were alternately employed against them in vain.

1763.

Lord Halifax was succeeded in the vice-royalty of Ireland by the Earl of Northumberland. The insurgents in different parts of the kingdom, and even in Dublin, increasing to an alarming degree, and committing many dreadful atrocities, a committee was instituted by the House of Commons to examine into the causes of their outrages; but the inquiry produced no beneficial effects. Lord Shannon was now grown old, and appeared desirous only of repose; the primate was united with the lord-lieutenant, and the speaker still acted in general under his influence.

31st. Oct.

Discussions
on the pen-
sion list.

But, although this disposition in the leaders of the parliamentary undertakers appeared to promise tranquillity, the violence of party continued to augment; and, among other topics of popular invective, the pensions on the Irish establishment furnished a constant theme of censure. A copy of the pension list was obtained, and became the subject of virulent discussion in both kingdoms; it was described as a never-failing source of undue influence and corruption. Mr. McAulay, a King's counsel at the Irish bar, stated, in a publication on the subject, that these pensions, after continuing for nearly twenty years without any considerable alteration, were now nearly doubled. The

* Letters from Lord Halifax to Lord Melcombe.

revenue of the British crown, which could alone be legally charged with them, did not exceed fifteen thousand pounds, while the pensions charged amounted to sixty-four thousand pounds; and even that sum had of late been greatly increased. A motion made in the House of Commons to address the King for a writ of *scire facias*, to inquire into the legality of the patent by which the office of chancellor of the exchequer was held, was lost; but the amount of the pensions was continually descanted on; and one of a thousand pounds, granted in the name of George Charles, but in fact paid to M. de Viri, the Sardinian ambassador, for his services in the negotiation for peace, was selected as a peculiar topic of disapprobation. Mr. (afterward Lord) Pery, in an able speech, moved for an address. He stated the increase of pensions since the reign of George I., and the augmentation of that and the military establishment since the year 1756, which had been more than doubled. The arguments on the other side tended to prove that the kingdom of Ireland had scarcely suffered by the war, while her territory and commerce had been protected at the expense of Great Britain; and therefore it was reasonable to apply her funds, in time of peace, to relieve the burthens of England. The motion was lost on a division; and a loyal address carried in both houses, expressing disapprobation of the daily libels, which violated every rule of decency, order, and government, and tended to excite a spirit of discontent and disobedience to their Sovereign, the laws, and the constitution*.

20th Dec.

Although the efforts of opposition failed in Parliament, the public mind was violently agitated. The insurgents, under various names, as Levellers, White Boys, Oak Boys, Hearts of Steel, continued their excesses, and directed their persecutions against all who, by exacting or paying tithes in kind, became obnoxious to them; and in many parts of the kingdom the fields

Agitation of
the public.

* Debates in the Irish Parliament, Smollett's History of England, vol. xvi. p. 282, et seq.; Inquiry into the Legality of Pensions, by Alexander M'Aulay; Thoughts on the Pension List of Ireland, with the list annexed; and many other publications.

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VIII.20th Jan.
1764.State of
foreign
powers.The French
seize Tor-
tuga.

1st June.

But restore it.

were deserted. In Dublin the topics which agitated the metropolis of Great Britain found an equal interest; the guild of merchants voted their freedom to Lord Chief Justice Pratt, and the corporation presented him with the freedom of the city in a gold box*.

The European powers, whose conduct was likely to affect Great Britain, presented no appearances which could afford serious disquietude. The French King, immersed in sensuality, and incapable of providing resources for the numerous debts which swallowed up his revenues, was obliged to employ those arbitrary acts of injustice which shew the weakness of government, and tend rapidly to its destruction. The disputes between the crown and the parliaments were now arising, which afterward begat a spirit of political disputation, productive in the end of the most baleful effects.

Some events, in the course of the year, seemed to threaten the tranquillity of Great Britain. A French ship of sixty-four guns, and three smaller vessels, suddenly appeared before Tortuga, or Turks' Island, an inconsiderable possession in the West Indies, valuable only for its salt-ponds, took the English inhabitants prisoners, and assumed possession of the place. The intelligence of this unjustifiable attack occasioned a great sensation in London; but the court of Versailles, on a representation by the British ambassador, explicitly disavowed the proceedings, and promised an honourable indemnification, the terms of which were to be adjusted by the French governor of St. Domingo and the governor of Jamaica. Some jealousies were entertained that the French had encroached on Newfoundland, and were fortifying St. Pierre, contrary to the treaty of peace; but, on enquiry, they proved to be unfounded.

* In this view of the affairs of Ireland, besides the authorities cited, and the ordinary sources of intelligence, I have been furnished with much interesting private information.—This note stood in the first and second editions of this work. The private information on which I principally relied, was a statement drawn up by the Earl of Macartney, and printed for the use of his own friends, under the title of "Extract of an Account of Ireland in 1773, by a late Chief Secretary of that kingdom." Since the death of his lordship, the pamphlet has been published, together with his life, by Mr. Barrow.

Complaints were also made of the Spanish governors for interrupting the British logwood cutters, and of a Spanish commodore for the seizure of an English ship in the Mediterranean; but in both cases ample and immediate satisfaction was afforded.

The King of Prussia, whom the defection of England had left without an ally, was anxious not to offend the House of Austria, and, at the same time, desirous to strengthen his interest by new connexions; he therefore made no efforts to prevent the Archduke Joseph from being elected King of the Romans, and pressed the completion of a treaty with Russia. The death of Augustus III. opened new views to the ambitious mind of Catherine, who determined to secure her ascendancy in Poland, by raising her favourite, Count Stanislaus Poniatowsky, to the throne. With great dexterity she precluded the interposition of France and Austria, and prevailed on Frederick to second her views, by concluding a treaty of guaranty and alliance, offensive and defensive: the Empress and the King of Prussia jointly engaged to prevent the crown of Poland from becoming hereditary, and by a secret convention the King covenanted to promote the election of Stanislaus Poniatowsky. All opposition being suppressed by the entrance of the Russian troops into Poland and the march of the Prussians to the frontiers, the election took place.

The Polish nobility enjoyed a privilege called *liberum veto*, by which a single nobleman was enabled to stop the deliberations of the diet, and even dissolve it. To avoid the impediments which might arise from the exercise of this right, the assembly convened for the election of a king, was changed into a diet of confederation, in which the liberum veto was suspended, and the questions were decided by a majority of voices*. Poniatowsky was not chosen by the Poles, on his first nomination, without considerable opposition; the violation of their ancient rights occasioned a strong protest, which was signed by twenty-

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Spain commits irregularities; but makes satisfaction.

Affairs of Poland.

3rd April.

Oct. 5th.
1763.

Mar. 1764.

7th May.

* For an account of the constitution of the Polish diet, the liberum veto, and mode of electing a king, see Coxe's Travels in Poland, &c. vol. i. c. v. and vi.

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VIII.1764.
3rd July.

7th Sept.

two senators and forty-five nuncios; some of them even took up arms, but were defeated by the Russian troops. Another confederation for the final election being assembled, Poniatowsky was unanimously chosen, and crowned by the name of Stanislaus Augustus*. In all this transaction, the Empress of Russia shewed great forecast and judgment. Meditating the dismemberment of Poland, she so planned her measures as to quiet all alarms, declaring most positively that she had no intention to acquire any portion of the Polish territory, and satisfying the court of Vienna that it was the interest of them all to keep Poland in her present state, as her constitution would never permit her to become a formidable enemy or an useful ally†.

and Russia.

A political event which occurred this year in Russia, although it did not affect the state of Great Britain, is yet too interesting to be passed over in silence. Ivan Antonovitch, grandson of Ivan V., joint heir of the crown of Russia with Peter the Great, was considered, at the death of the Empress Anne, undoubted successor of the empire. His infancy favoured the ambitious projects of Elizabeth, who deposed him when only a year old. He was afterwards removed from one place of confinement to another, according to the dictates of fear or convenience, till at length he was lodged in the fortress of Schlussemburg, in a small vaulted prison, where the light of day never entered. Two officers were placed in the room as a guard, and they were for some time forbidden to converse with him, even to answer the slightest question. He was kept in a state of ignorance, so deplorable as to give room for a report that he was an idiot; yet his claim to the throne was the source of many conspiracies. It was said that the late Emperor visited him in prison; and, convinced of the injustice done to his understanding, and the validity of his claim to the throne, promised to make him his successor. The insecurity of Catherine's title gave

* *Œuvres du Roi de Prusse*, vol. iv. p. 169, et seq. *Life of Catherine II.* vol. i. c. iv. *Wrazall's Memoirs of the Courts of Berlin, &c.* vol. ii. letters 19 & 20.

† *Mitchell papers*, No. 6809, fo. 246, 247, 254, 257.

sufficient encouragement to plots, and formed a reasonable basis for alarm and extraordinary precaution; and these sentiments received a new impulse from the detection of a conspiracy in the summer of 1764. Although there was no appearance that the Prince had countenanced this attempt, it was judged necessary to order his guards, in case of a dangerous insurrection, to put him instantly to death. One Vassily Mirovitch, second lieutenant in a regiment, part of which was in garrison at the tower of Schlüsselburg, having formed a wild project of rescuing the Prince from captivity, and placing him on the throne, corrupted about fifty of his soldiers, and made an assault on the prison, with some appearance of success. The conspirators had secured the governor, and were going to force the door of Ivan's dungeon, when it was thrown open, and Mirovitch permitted to enter unmolested. The officers placed with the Prince had consulted together on the emergency, and, thinking themselves unable effectually to oppose the insurgents, embraced the dreadful alternative with which they were entrusted. Their unfortunate victim was asleep; but, being waked by the noise of firing, and hearing the threats of his two assailants, endeavoured to move them with prayers and entreaties. Finding these ineffectual, he gathered strength and courage from despair, made a vigorous resistance, seized one of their swords and broke it: during the struggle, the other stabbed him behind, and threw him down; he who had lost his sword, now plunged his bayonet into the Prince's body, and both repeated their blows till he expired. Such was the spectacle which saluted the eyes of Mirovitch when he entered the dungeon. He was struck with horror, and no longer thought of self-preservation; but yielded up his sword to the governor, who was yet his prisoner, exclaiming, that he had now nothing to do but die. The conspirators were tried before the senate: Mirovitch was sentenced to death and executed; the inferior agents were doomed to different degrees of punishment, proportioned to their activity in the enterprise. The fermentation of the public mind, on the death of Ivan,

26th Sept.

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shewed that Catherine's fears of a successful insurrection were not ill-founded; and some authors have endeavoured, though without the least apparent foundation, to prove that the whole transaction was a scheme of the Empress, and that she sacrificed her engines to her own reputation*.

10th Jan.
Meeting of
Parliament.

The events on the continent furnished the leading topics of the King's speech to Parliament. He inferred from them that the nation had reason to expect the duration of that peace which had been so happily established, and which it was his resolution strictly to maintain. In allusion to the state of America, and the project of taxing that part of the British dominions, His Majesty said: "The experience I have had of your former conduct, makes me rely on your wisdom and firmness in promoting that obedience to the laws, and respect to the legislative authority of this kingdom, which is essentially necessary for the safety of the whole; and in establishing such regulations as may best connect and strengthen every part of my dominions for their mutual benefit and support."

Taxation of
America.

The ministry made an offer to the Americans, that any other mode of contributing the sum intended to be raised would be accepted, and the stamp duty laid aside; but the colonial agents replied, that they were ordered to oppose the bill, if brought into the House, by petitions, questioning the right claimed by Parliament to tax the colonies†. They were eager to enter into a discussion of the principle in dispute, and not to permit any compromise; while the minister was determined not to recede from the claim of the British legislature to impose and ascertain the quantum of taxation, but was willing to leave the mode of contribution to the decision of those who were to contribute‡.

7th Feb.

Fifty-five resolutions of the committee of ways and means were agreed to by the House, and afterwards incorporated into an act of parliament for laying

* Life of Catherine II. vol. i. chap. 1 and 4, and Appendix, No. x. Coxe's Travels in Poland, &c. vol. iii.

† Franklin's Life and Writings, vol. i. p. 167.

‡ Almon's Collection of Papers, vol. i. p. 5. Remembrancer, vol. iii. p. 253. See also Burke's Works, 4to. vol. i. p. 365, 545.

nearly the same stamp duties on the colonies in America as were payable in England. This act passed the House of Commons almost without debate; two or three members spoke against it, but without force or apparent interest, except a vehement harangue from Colonel Barré, who, in reply to an observation of Mr. Grenville, in which he described the Americans as children of our own, planted by our care, nourished by our indulgence, said: "Children planted by your care! No! your oppression planted them in America; they fled from your tyranny, into a then uncultivated land, where they were exposed to almost all hardships to which human nature is liable, and yet, actuated by principles of true English liberty, they met all these hardships with pleasure, compared to those they suffered in their own country, from the hands of those who should have been their friends. They nourished by your indulgence! they grew by your neglect of them: as soon as you began to care about them, that care was exercised in sending persons to rule over them, who were, perhaps, the deputies of some deputy sent to spy out their liberty, to misrepresent their actions, and to prey upon them; men, whose behaviour, on many occasions, has caused the blood of those sons of liberty to recoil within them. They protected by your arms! They have nobly taken up arms in your defence, have exerted their valour amidst their constant and laborious industry, for the defence of a country, whose frontiers, while drenched in blood, its interior parts have yielded all its little savings to your enlargement; and the same spirit which actuated that people at first, will continue with them still; but prudence forbids me to explain myself farther."

There was but one division during the progress of the bill, and then the minority did not amount to more than forty*. The petitions presented against it,

* Burke's Works, 4to. vol. i. p. 559; 8vo. vol. ii. p. 414. It is to be observed, Colonel Barré's speech above quoted is not preserved in Debrett's Parliamentary Collection; and Burke avers, that he sat in the gallery during the progress of the bill, and never heard a more languid debate. See Burke's Works, ubi sup.

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15th Feb.

although recommended by an order of council, were not attended to*, and the House refused to receive four from the agents of Connecticut, Rhode Island, Virginia, and Carolina, and one from the traders of Jamaica†, because they denied the right of parliament to impose taxes, and because it was contrary to rule to receive petitions against a revenue bill. In the House of Lords, the act passed without debate, division, or protest‡; and, having thus received the sanction of both houses, was ratified by the Royal assent.

22nd March.

29th Jan.
Debates on
general war-
rants.

Early in the session, an attempt was made by Sir William Meredith to obtain a resolution of the House of Commons on the illegality of general warrants: the debate was long and violent, but produced little novelty; the question was lost in a division on an amendment by a majority of thirty-nine only§.

March 4.
On informa-
tions *ex*
officio.

Another motion of a popular nature, for restraining the practice of filing informations *ex officio* by the Attorney-general, was produced by Mr. Nicholson Calvert. His speech appeared to have been carefully prepared, but presented more proof of industry than of judgment or good taste. He described these informations as a weed which had taken deep root in this free soil, and had been of so rampant a growth as to have overshadowed the fairest flowers of the plain. The practice was a legitimate offspring of that accursed court, the Star-chamber, from which the power exercised by the Attorney-general was derived, a power inconsistent with the liberty of the country. He cited Magna Charta to shew that the subject could not be passed upon, or put on his trial, before a grand jury had formed sufficient reason, from their own knowledge, or from evidence, to return a bill. "But," he "proceeded, "if these ancient boundaries, these coeval "land-marks of the constitution, should not have due

* Burke's Works, vol. i. p. 366.

† Idem, p. 547.

‡ Idem, p. 559.

§ 224 to 185. Parliamentary History, vol. xvi. p. 6. This debate caused a considerable sensation out of the House; and a hand-bill was circulated, in which an eminent lawyer was asserted to have said, "I think it better to fall with the laws than to rise on the ruins of them." Gentleman's Magazine, 1765, p. 94.

"attention paid to them in this house, I may give a minister displeasure; and instead of a bill of presentment, or indictment, by my peers, their monster, this *diabolus regis*, stalks into court, teeming with destruction, like the Trojan horse, with the Star-chamber in his guts,

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"Scandit fatalis machina muros
"Fœta armis;

"by his own authority files an information in the King's name, which the judges cannot refuse; nor has the defendant any privilege to shew cause against it."

Sergeant Hewitt seconded the motion; but, possibly from being ashamed of his leader, performed his task very languidly. Whether any answer was given or not, does not appear; but the motion was negatived*.

It was found expedient, for the prevention of frauds committed by smugglers to an enormous extent†, to annex the Isle of Man to the realm. This small territory formed a domain of a singular tenure‡: it was part of the crown, but not of the realm of England: it was under the allegiance of the King, but governed by its own laws and customs. In these respects it resembled Jersey and Guernsey; but in those islands the King appointed governors, and retained the jurisdiction of the admiralty; the superintendence of civil justice vested in the King in council, and he could prosecute a suit in his own name in any of the courts of England; in a word, the prerogatives, royalties, and jurisdiction of those islands vested in the crown, and the writs from the superior courts at Westminster were allowed to operate in them. But in the Isle of Man, the King had no courts, nor officers; and no suits arising there, whether at the instance of the party or of the crown, were determinable in England.

The Isle of
Man an-
nexed to
the realm.

* 204 to 78.

† So great, that Mr. Burke termed the Isle of Man "the head quarters, the very citadel of smuggling." Speech on American taxation Works, 8vo. vol. ii. p. 377. And a proclamation on the subject had been found necessary in the preceding year (17th August, 1764).

‡ Fourth Instit. 283.

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VIII.

1765.

It was even doubted if the great prerogative, or mandatory writs, which issue to all places under subjection to the crown of England, would be valid there*. This singular inheritance had been for nearly four centuries vested, by parliamentary charter, in the family of the Duke of Athol.

21st Jan.

In pursuance of an order of the lower house, the chancellor of the exchequer introduced a bill for more effectually preventing the mischiefs arising to the revenue from the illicit trade to and from the Isle of Man, by which the island was intended to be subjected entirely to the revenue laws of England.

13th Feb.

Before the second reading of the bill, the noble proprietor and his duchess presented a moderate and energetic petition: after stating their reluctance to disunite from the honours of their family this ancient and princely patrimony, the reward of the services and monument of the virtues of their ancestors, they threw themselves with dutiful submission on the pleasure of their sovereign, and the disposal of parliament, and only requested such a compensation as the importance of the sacrifice to themselves, and of the acquisition to the nation, should seem to demand. They were heard by counsel; and, in consequence of a communication with government, it was thought advisable that the island should be revested in the crown. The sum of seventy thousand pounds was given as a compensation; and a bill was passed, whereby the whole isle, with all its jurisdictions, interests, and dependencies, was vested in the crown, reserving only to the petitioners their landed property and rights in and over the soil, as lords of the manor, together with the patronage of the bishopric, and the other ecclesiastical benefices†. This act was immediately followed by one for protecting the revenue.

6th Mar.

* There is no instance of a prerogative writ having been sent and returned from thence: there is no officer to whom it could be directed.

† See Blackstone's Commentaries, vol. i. p. 105.—I have been assisted in this account by some accurate private information, and am indebted to the same person for the appendix, which contains a more clear and ample detail of the ancient state of the Isle of Man. See Appendix IV; also Parliamentary History, vol. xvi. p. 15.

During the session, the King was attacked by an alarming illness*: on his recovery, in a speech from the throne, he proposed to the consideration of parliament the expediency of vesting in him the power of appointing, from time to time, by instruments under his sign manual, either the Queen, or any other person of the royal family usually residing in Great Britain, to be guardian of his successor, and, under proper restrictions, regent of the kingdom, until the successor should attain the age of eighteen.

A joint address of both houses was returned, expressed in terms of great loyalty and affection. A bill was brought into the House of Lords framed according to the terms of the King's proposition. In its progress, the uncertain and unconnected state of the ministry was palpably exposed, and the whole proceeding rendered a subject of astonishment, not unmixed with ridicule; especially as the opposition party shewed much more spirit of faction than of patriotism. Lord Lyttelton objected to an unnamed regent; while the Duke of Grafton, Lord Temple, Lord Shelburne, and a few more peers opposed the whole bill; on a division, they were left in a very inconsiderable minority†.

The next day, Lord Lyttelton moved an address to the King, to name the person he would appoint as Regent. In the course of the debate, questions were asked, whether the Queen was naturalized? If not, was she capable of the Regency? and who were the royal family? The answer to the last question was,

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Progress of
the Regency
act.

24th April.

6th May.

* The malady with which His Majesty was afflicted exhibited symptoms similar to those which, in 1788, and during the last years of his life, gave so much unhappiness to the nation. I did not mention the fact in former editions of this work, because I knew that the King, and all who loved him, were desirous that it should not be drawn into notice; so anxious were they on this point, that Smollett having intimated it in his *Complete History of England*, the text was revised in the general impression; a very few copies in the original form were disposed of, and they are now rare. As the King was living at the time of my publication, and the malady utterly unimportant, I omitted all mention of it; nor should I now have deviated from my former course, but that, of late, attempts have been made to impress the opinion that what was only an incidental symptom, was a malady constantly affecting His Majesty's mind. Against this insinuation, may be cited the testimony of all who, during a reign of fifty years (excluding the last ten), knew, conversed, or transacted business with him.

† The numbers were 120 to 9.

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those only who were in the order of succession, which amounted to direct exclusion of the Princess Dowager; for, as the Queen was named in the bill, the Princess could not be in that order. Nothing was decided on these points; but the judges were directed to give their opinions on the eligibility of the Queen, and Lord Lyttelton's motion was rejected*.

In the next debate, the Duke of Richmond moved that the persons capable of the Regency should be the Queen, the Princess Dowager, and all the descendants of the late King, usually resident in England; the Duke of Bedford objected to the nominating of the Princess; but Lord Halifax, having maintained that it would be proper to substitute *now* for *usually*, both words were retained.

To the surprise of all men, when the judges had pronounced in favour of the Queen's capability, and when the whole question was supposed to be settled, the Earl of Halifax, secretary of state, by the King's permission, moved the recommitment of the bill, and obtained a clause from which the name of the Princess Dowager was excluded; thus rendering her alone incapable of the Regency. It was not to be believed that the King, an affectionate son, and truly attached to his parent, could have consented to this wanton insult, had not some surprise been practised upon him. The measure was considered as a declaration of open war between the court and the administration. The effect upon different parties is described in ludicrous terms by a near and accurate observer: "The astonishment of the world is not to be described; Lord Bute's friends are thunderstruck; the Duke of Bedford almost danced about the house for joy†."

24th May.

In the House of Commons, debates not less violent, acrimonious, and offensive, took place. All the propositions discussed in the Lords were brought forward anew; but, in conclusion, the name of the Princess Dowager was reinstated. The bill was returned to the

* 89 to 31.

† Lord Orford's Letters to the Earl of Hertford. Works, vol. viii. p. 212.

upper house, and, not without strenuous resistance, passed as amended*.

In the course of the session, a long inquiry before a committee was made into the causes which occasioned much distress among the silk-weavers. They had presented a petition, and their witnesses were fully heard; but they were dissatisfied with the result, and, on the day when the King in person gave his assent to the regency bill, a mob of their journeymen went to St. James's, with black flags, for the purpose of petitioning for relief, under pretence that they were reduced to a state of famine by the encouragement of French manufactures. They tumultuously surrounded both houses of parliament, and insulted many of the members. They again assembled on the two following days, and proceeded to commit other outrages, assailing and destroying the outward wall of Bedford House, but were at length repressed by the posse comitatus and the military, who were called in to aid the civil power. A proclamation was issued for the suppression of riots, and some of the parties were brought to condign punishment.

The ministry had never been popular; and they had now perceptibly lost the King's confidence, especially by their conduct on the regency act. It is averred, that several posts of honour and emolument were bestowed in opposition to their advice, or without their knowledge, which produced offensive remonstrances; in consequence of which, the King, by the recommendation of Lord Bute, determined to dismiss them†. This account forms part of the fable of Lord

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1765.
15th May.
Insurrection
of silk-
weavers.

Negotia-
tions for a
change of
ministry.

* As the debates of this session are not adequately reported in any publication, I have derived my information on this proceeding from the honourable Horace Walpole's (Lord Orford's) Letters to the Earl of Hertford: Works, vol. viii. pp. 209 to 220. The scene of political profligacy, the utter want of true patriotism, and personal integrity, which it exhibits, are equally afflictive and disgraceful. The narrative has the author's characteristic vivacity and brilliancy, together with his acrimony and sarcastic severity; but it must be regarded as a striking display of the prevailing malignity and meanness, made by one who was near enough to see the movements of the hidden springs of action, and who, in disclosing what he knew to an intimate friend, had nothing in view beyond the statement of his own observations and feelings.

† Life of Lord Chatham, vol i. p. 466.

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1765.

Bute's secret influence, which was so long implicitly believed, and which still affords an easy solution of every political problem, for which no satisfactory explanation can be found in the ordinary details of diurnal occurrences.

Although it may not be true that Lord Bute interfered in the transactions of the cabinet, yet the jealous apprehension on that subject probably occasioned the ministry to do many things offensive to the King. Lord Temple, both in the House of Lords and in private, had repeatedly condemned Lord Bute's secret influence; he was about this time reconciled to his brother Mr. Grenville; and, although they professed the reconciliation to be merely a family transaction, it could not fail of producing a considerable effect on the political conduct of Mr. Grenville*.

15th May.

Such was the state of the ministry and their adherents, when the Duke of Cumberland entered into a negotiation with Lord Temple and Mr. Pitt, respecting a change, and first applied to Lord Temple for his conditions. The Duke did not object to them; but required that the Earl of Northumberland should be at the head of the treasury: this proposal was not agreeable to Lord Temple, and the conference broke off.

19th.

The Duke, however, did not yet relinquish the hopes of success: he called on Mr. Pitt at Hayes, where he was met by Lord Temple, and the subject renewed. Mr. Pitt declared he had no objection to go to St. James's, "if he could carry the constitution with him," but declined all connexion with the Earl of Northumberland. The next day, Lord Frederick Cavendish was sent from the Duke to Mr. Pitt, with a modification of the proposal respecting the Earl of Northumberland, and Mr. Pitt returned the same answer which he had given to the Duke of Cumberland. The situation of first lord of the treasury was then offered to Lord Lyttelton, who desired to consult Lord Temple and Mr. Pitt; and the Duke, convinced that no advan-

* Life of Lord Chatham.

tage could be derived from a new negotiation, reported these transactions to the King, advising him to continue his present servants*.

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1765.

23rd May.
Conduct of
the ministry.

In consequence of this counsel, the King required the ministry to state the conditions on which they would remain in office. A meeting was held in Downing-street, at which the first lord of the treasury, the lord chancellor, the Duke of Bedford, and the Earls of Halifax and Sandwich, were present. At the conclusion of this conference, Mr. Grenville was directed to wait on the King, and state five propositions as the terms of retaining their situations: 1. That Lord Bute should not interfere directly or indirectly in the affairs of the government; 2. Mr. Stuart M'Kenzie, Lord Bute's brother, to be dismissed from the office of keeper of the privy seal for Scotland; 3. Lord Holland to be deprived of the paymastership of the forces, which should be bestowed on a member of the House of Commons; 4. The Marquis of Granby to be at the head of the army; and 5. The government of Ireland to be left to the discretionary arrangement of the ministry†.

The difficulty already experienced in forming a new administration, rendered it necessary to comply in part with these propositions. Mr. Stuart M'Kenzie was dismissed from the privy seal of Scotland, which was

Difficulty of
forming a
new admin-
istration.
8th June.

* History of the late Minority, chap. xxi. The public prints at the time noticed the Duke of Cumberland's visit to Mr. Pitt at Hayes. See Gentleman's Magazine, 1765, p. 245. Mr. Burke, a young man and not yet in parliament, made, at this time, judicious remarks and statements on the position of parties. "The Regency bill," he says, "has shewn such a want of concert and want of capacity in the ministers, such an inattention to the honour of the crown, if not such a design against it; such imposition and surprise upon the King; and such a misrepresentation of the disposition of the parliament to the sovereign, that there is no doubt that there is a fixed resolution to get rid of them all (except perhaps of Grenville), but principally the Duke of Bedford. Nothing but an intractable temper in your friend Pitt can prevent a most admirable and lasting system from being put together, and this crisis will shew whether pride or patriotism be predominant in his character; for you may be assured he has it now in his power to come into the service of his country, upon any plan of politics he may choose to dictate, with great and honourable terms to himself and to every friend he has in the world, and with such a stretch of power as will be equal to every thing but absolute despotism over the King and kingdom. A few days will shew whether he will take this part, or that of continuing on his back at Hayes, talking fustian, excluded from all ministerial, and incapable of all parliamentary, service. For his gout is worse than ever; but his pride may disable him more than his gout." Original Letters to the Right Hon. Henry Flood, p. 3.

† From private information.

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1765.

given to Lord Frederick Campbell; Charles Townsend was appointed paymaster of the forces; and Lord Weymouth lord lieutenant of Ireland. Still the disunion between the King and the ministry existed in all its extent: a spirit of violence seems to have possessed some members of the cabinet, and urged them personally to insult their sovereign, in a manner which rendered their longer continuance in office impossible*.

20th.

All previous attempts to form a new administration failing of success, the King himself sent for Mr. Pitt, and held a conference with him at Buckingham House.

25th.

In consequence of this interview, Mr. Pitt and Lord Temple had a joint audience, and the King condescended to lay before the two brothers certain propositions for their acceptance. Mr. Pitt seemed disposed to comply with the most important, but required time to deliberate. Lord Temple declared his repugnance to all the conditions, and Mr. Pitt afterward adopted the same sentiments.

Rockingham
ministry
formed.
10th, 15th
July.

The Duke of Cumberland being again applied to, negotiated with the Duke of Newcastle for the formation of a new ministry, which was speedily adjusted. The Marquis of Rockingham was placed at the head of the treasury; General Conway was appointed secretary of state, with the management of the House of Commons†; the other secretary was the Duke of Grafton; the Duke of Newcastle was lord privy seal; Mr. Dowdeswell chancellor of the exchequer; and the Earl of Hertford lord lieutenant of Ireland. These were the leading men in the new administration, though changes took place in every department. The high popularity of the Duke of Cumberland, who formed this ministry, and the characters of the principal members, promised a great degree of public favour; and one of their first acts, that of making Mr. Pratt, the chief justice of the common pleas, a peer, by the title of Earl Camden, was highly gratifying to the people.

Death of the
Duke of
Cumberland.

The Duke of Cumberland, perfectly satisfied with this administration, contributed to their permanency

* Junius, Letter xxiii. Burke's Works, vol. i. p. 367.

† Lord Orford's Works, vol. v. p. 136.

by constantly attending the council, thus assisting them with his advice, and sanctioning their measures by his splendid reputation; but of this inestimable coadjutor they were soon deprived, by his sudden death. His great popularity, the deserved meed of tried valour and undoubted patriotism, rendered his loss extremely afflicting at this period, when a new ministry was preparing to try the effect of new measures. As their operations were intended to contravene the prejudices and opinions of all other parties, they required, in a peculiar manner, all the support which could be derived from personal estimation. The decease of the Duke was generally deplored, as well by the nation as the royal family; and the King sustained an additional loss by the death of his brother, Prince Frederick, who expired in the sixteenth year of his age.

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1763.
31st Oct.

29th Dec.
and of Prince
Frederick.

CHAPTER THE NINTH.

1765—1766.

Examination of the motives for opposing the stamp act.—
Formation of parties in America.—Exertions of the Presbyterians.—Discontents on the arrival of the stamp act.—Proceedings in Virginia—and in New England.—Preparations for holding a congress.—Combinations against the use of stamps.—Riots at Boston.—Meeting, proceedings, and dissolution of Congress.—The delivery of stamps prevented.—Proceedings of the ministry.—Meeting of Parliament.—King's speech.—Debate on the Address in the Houses of Lords and Commons.—Recess.—Consultation of the ministry.—Proceedings in Parliament.—Debate on the address.—Measures for repealing the stamp act.—Evidence before the House.—Resolutions moved—debates on them.—Speeches of the Duke of Grafton—Lord Shelburne—Lord Lyttelton—Lord Camden—Lord Mansfield.—Resolutions passed.—Declaratory Bill warmly debated.—Speech of Lord Camden—Lord Egmont.—Bill passed.—Bill for repealing the American stamp act brought into the House of Lords—Passes.—Protests.—Act of indemnity.—Cyder tax repealed.—General warrants declared illegal.—Message from the King respecting the Princess Caroline Matilda and the Dukes of York and Gloucester.—Address.—Prorogation of Parliament.—Other acts of the ministry.—Their feebleness.—Duke of Grafton resigns.—Intrigue of Lord Chancellor Northington.—Overtures made to Mr. Pitt.—His quarrel with Lord Temple.—Mr. Pitt's ministry.—He is made a peer.—Rockingham administration dismissed.—Compliments paid to the Marquis of Rockingham.—Efforts to render Lord Chatham unpopular.

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IX.

Examination
of motives
for opposing
the stamp
act.

THE stamp act, if considered by itself, and not incumbered with the question relative to the right of Great Britain to tax her colonies, was a wise and equitable measure, and promised a productive revenue. It enjoyed the advantage of being simple, easy of collection, founded on the extended trade and commercial transactions of individuals, justly distributed, and effectually carrying its own powers into execution, without the teasing inspection of officers. The only plausible objection (exclusive of the general principle) arose from the difficulty of obtaining stamps in the interior of the country: it was alleged that the expense, if they were sent by post, would, in many cases, considerably exceed the value of the stamps themselves; and as many inhabitants could only obtain them by travelling, they would probably be compelled to expend three or four pounds that government might gain sixpence*. This objection is strained to the extreme verge of possibility, in order to gain something like a plausible reason for opposing the duty on the ground of expediency. If the persons residing in remote parts of the country were numerous, their transactions would afford employ to a distributor of stamps, within a district of moderate extent; if the smallness of their numbers rendered that appointment unnecessary, their occasions for stamps must have been few, and the return of the demand periodical and certain, so that a provision might without inconvenience be made in advance, like any article of manufacture or consumption. Unexpected events which create a sudden call for stamped papers can only arise in a mixed society, where rapid changes in circumstances give birth to multiplied transactions, and the sudden and occasional transfer of property requires constant means of legal security†.

But admitting the impossibility of supplying the back settlements, or of adjusting the demands of the

* See Franklin's examination before the House of Commons, Debrett's Debates, vol. iv. p. 324. Parliamentary History, vol. xvi. p. 137.

† It should be recollected, that at this period the stamp duties, which affect the most frequent transactions of society, such as agreements, promissory notes, bills of exchange, and receipts, were not imposed.

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IX.

state to the peculiarities of their situation; the measures adopted to resist the introduction of the stamp duty demonstrated that, not the consideration of its practicability, or of the duty itself, but of the principle of imposing it, formed the true ground of objection, and that those who had proceeded to the verge of rebellion in their system of opposition, sought this subterfuge as a plausible vindication of their factious conduct.

Formation of
parties in
America.

Exertions of
the Presby-
terians.

The ministry acted imprudently in giving a year's notice of their intention to impose the stamp duty: they allowed time for the accumulation of discontents in America, and for the arrangements of factious men to oppose the law*. The first effort toward an union of interests was made by the Presbyterians, who were eager in carrying into execution their favourite project of forming a synod. Their churches had hitherto remained unconnected with each other, and their union in synod had been considered so dangerous to the community, that in 1725 it was prevented by the express interference of the lords justices. Availing themselves, with great address, of the rising discontents, the convention of ministers and elders at Philadelphia inclosed in a circular letter to all the Presbyterian congregations in Pennsylvania the proposed articles of union.

In this letter the writer complained that, notwithstanding their numbers, "they were considered as *nobody*," and their essential and charter privileges were exposed to the encroachments of evil-minded persons. Other religious societies insulted them for their want of union, and charged the ill-conduct of individuals on the whole body. They, therefore, solicited the adoption of some system which would enable them to act in union, for the purpose of defending and augmenting their civil and religious privileges. They digested a plan by which a few gentlemen of Philadelphia, with the Presbyterian ministers, should be chosen to correspond with their friends in different

* Burke's Works, vol. i. p. 366.

parts, to give and receive advice, and consult on measures tending to promote their welfare, either generally, or as connected in particular congregations. A number of persons, termed the most *prudent and public spirited*, in each district of the province and three lower counties, was to be elected for the purposes of corresponding jointly with the ministers in those districts, with one another, and with the gentlemen of Philadelphia. A person was to be nominated in each committee to sign and receive letters in the name of the whole, to convoke the members, and impart for their deliberation the advice they should obtain. Deputies were to be sent by the committee in each county or district, yearly or half-yearly, to a general meeting, to consult and give advice; and each committee to transmit to that in Philadelphia their names and numbers, with periodical accounts of alterations.

In consequence of this letter, an union of all the Presbyterian congregations took place in Pennsylvania, and the lower counties. A similar confederacy was established in all the southern provinces, in pursuance of similar letters, written by their respective conventions. These measures ended in the establishment of an annual synod at Philadelphia, where all the Presbyterian congregations in the colonies were represented by their respective ministers and elders, and where all general affairs, political as well as religious, were debated and decided. From this synod, orders and decrees were issued throughout America, and to them a ready and implicit obedience was paid.

The discontented in New England recommended an union of the congregational and Presbyterian interest throughout the colonies. A negotiation took place, which ended in the appointment of a permanent committee of correspondence, furnished with powers to communicate and consult, on all occasions, with a similar committee established by the congregational churches in New England. Thus the Presbyterians in the southern colonies, who, while unconnected in their several congregations, were of little importance, were raised into weight and consequence; and formed

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IX.

1765.

a dangerous combination of men, whose principles of religion and policy were equally adverse to the established church and government.

By this union, a party was prepared to display their power by resistance, and the stamp law presented itself as a favourable object of hostility. Yet, sensible of their own incompetency to act effectually without assistance, and apprehensive of counteraction from the members of the church of England, and those dissenters who were averse to violence, they strove with the utmost assiduity to make friends and converts among the disaffected of every denomination*.

Discontents
on the arrival
of the stamp
act.

The prevailing discontent, which extended to the most respectable ranks of society, was favourable to their hopes ; and when the news arrived that the stamp act had passed in Great Britain, the measures adopted were conformable to their most sanguine wishes. The act was reprinted, with a death's head affixed, instead of the King's arms, and hawked in the streets of New York, by the title of " England's Folly, and the Ruin " of America ;" the guns at Philadelphia, both in the town and in the barracks, were spiked by offenders who remained undetected ; at Boston, the colours of the shipping were hoisted half-mast ; the church-bells were muffled, and tolled a funeral knell ; and an alarming ferment generally prevailed†.

It must afford matter of surprise, that these transactions were viewed with indifference, and, in a certain

* Historical and Political Reflections on the Rise and Progress of the American Rebellion, by Joseph Galloway.

† Almon's Collection of Papers, vol. i. p. 7. Andrews' History of the American War, vol. i. p. 41. The question of the right to tax by the British Parliament is succinctly and fairly stated in Marshall's Life of Washington, vol. ii. p. 82. On the expediency of restraining their illicit commerce, and imposing a direct tax, he cites the authority of a great, able, and truly patriotic minister. Sir Robert Walpole is said to have declared, " that it was necessary to pass over " some irregularities in the trade of the colonies with Europe. For by encour- " raging them to an extensive growing foreign commerce, he was convinced, that " if they should gain £ 500,000, full £ 250,000 of their gains would, within two " years, be brought into His Majesty's exchequer by the labour and produce of " Great Britain consumed in America, a demand for which would increase with " their wealth." The same able statesman, when urged to establish a system of internal taxation in the colonies, replied with a smile, " that he would leave that " to some of his successors, who should have more courage, and less attachment " to commerce, than himself." Confining them to the use of British manufac- " tures was, he thought, " taxing them more agreeably to their own constitution " and to that of Great Britain."

degree, sanctioned by men in the superior classes of life; but the situation of the colonies, and the manner in which they had been of late considered in England, account for the prevailing spirit of presumption. During the late war, and since the peace, the importance of America had been magnified by all the arts of eloquence, as if the existence of Great Britain, as a commercial nation, depended on the trade with that country. The colonists naturally estimated themselves at no less than they were appreciated by the British parliament. They loudly claimed a total exemption from taxation, which they resolved to obtain by force, if necessary, and were induced by various circumstances to expect success. They hoped to increase the discontents in England, by forbearing to import goods, and by encouraging their own manufactures. The cause assigned for taxing the colonies, a deficiency of resources, led the Americans to expect that it would be impossible for the mother-country to provide and maintain a standing military force; they calculated on a great accession of population from the emigration of unemployed manufacturers; on their own rapid growth, and on the necessary diminution of a British army by desertions: considering also, that the army would be employed, not in conquest, but in maintaining the law against a general and wide-spreading disaffection, they entertained hopes that it would in time relinquish its fidelity, and procure the independency of America*.

A cogent motive for the attachment and dutiful submission of the colonies was removed by the cession of Canada and the Floridas. The Americans, no longer alarmed by the vicinity of the French and Spaniards, found their own force adequate to their own defence, and felt no weakness or terror to diminish that sense of their importance which numbers, prosperity, and the opinions held in England, contributed to inspire. The virulence of faction in Great Britain

* These sentiments are forcibly expressed in a letter from a well-informed gentleman at New York to a nobleman in London, dated 8th November, 1765. The whole letter is highly important and interesting, from the ability and candour with which it is written. It is referred to in subsequent parts of the chapter, and printed in the Appendix, No. V.

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Proceedings
in Virginia.

produced a correspondent effect in America, where a bold, disrespectful mode of eloquence, not deficient in vigour, though totally exempt from refinement, was generally adopted*.

To the astonishment of those who considered only the ancient habits of loyalty which had prevailed in Virginia, that colony set the example of authorized opposition to government. This is partly attributed to accident; but the manner in which debates were conducted in their legislature, and the resolutions finally sanctioned, indicated a most alarming and dangerous disposition. The leading men in the assembly, which happened to be sitting when intelligence of the stamp act arrived, were anxious to shew their constituents that they would not disavow, in their legislative capacity, sentiments, which, as individuals, they had inculcated. Although the operation of the act was not to commence till November, the subject was eagerly introduced, and occasioned a violent debate, or rather a series of virulent harangues. One of the members, Patrick Henry, after declaiming with bitterness against the supposed arbitrary measures of the present reign, exclaimed, "Cæsar had his Brutus; Charles I. his Oliver Cromwell; and George III. ———." A cry of "treason!" was uttered; the speaker called Mr. Henry to order, and declared he would quit the chair, unless he was supported by the House in restraining such intemperate speeches†.

29th May.

When tranquillity was restored, the House framed a set of resolutions, importing that the first settlers in Virginia had brought with them, and transmitted to their posterity, all the privileges and immunities enjoyed by the people of England. By the two charters of James I. the colonists were entitled to all those privileges and immunities. They had enjoyed the right

* Stedman's History of the American War, vol. i. p. 31.

† Ibid, vol. i. p. 32. Speaking of the eloquence of Mr. Henry, Mr. Jefferson says, "His talents as a popular orator were great indeed; such as I have never heard from any other man. He appeared to me to speak as Homer wrote." When the impression was made, the writer was a young student; but when he wrote it, he was seventy-seven years old. Jefferson's Memoirs and Correspondence, vol. i. p. 2.

of being *thus* governed by their own assembly, in the article of taxes and internal police, which right had never been forfeited or relinquished, but constantly recognized by the King and Parliament of Great Britain*. Therefore the general assembly of Virginia, together with His Majesty or his substitutes, had in their representative capacity the only exclusive right and power to tax the inhabitants of Virginia; and every attempt to vest such a power in any person or persons whomsoever, except the general assembly, was illegal, unconstitutional, and unjust, and had a manifest tendency to destroy British, as well as American, independence†.

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1765.

The governor of Virginia, informed of these proceedings, dissolved the assembly; but this measure was adopted too late; their resolves sanctioned opposition in their own province, and formed a precedent which was followed by other legislative bodies.

Their assembly dissolved.

The resolutions, though preceded by such a vehement debate, were too moderate to satisfy the inhabitants of New England. They had, in the preceding year, manifested a disposition to resist the authority of Great Britain in general, by a resolute assertion of the Rights of Man; but the assembly of Virginia cautiously appealed to their charters, proudly considered themselves British subjects, and left the authority of the mother-country without limits, except in the particulars of taxation and internal police, tacitly acknowledging their right to impose duties on merchandises, and to regulate and restrain commerce.

Conduct of New England.

At the suggestion of the House of Representatives

* This third resolution wants connexion and explanation. The right of being *thus* governed is claimed without any previous declaration of the mode of government. This is supplied by a resolution which, though rejected by the assembly, was published, and must have formed the third in the series originally moved. It is in these words: "Resolved, That His Majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever designed to impose any taxation whatsoever upon them, other than the laws and ordinances of the general assembly aforesaid." Another resolution was also presented and rejected, as follows: "Any person who shall, by speaking or writing, maintain that any person or persons, other than the general assembly of this colony, have any right or power to impose or lay any taxation whatsoever on the people here, shall be deemed an enemy to His Majesty's colony."

† Almon's Collection of Papers, vol. i. p. 6.

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IX.

1765.

August.
Preparations
for holding a
congress.Combina-
tion against
the use of
stamps.

Riots.

26th Aug.
At Boston.

at Boston, several assemblies appointed deputies for a general congress at New York, to which the legislature of each province was to contribute from two to five members, for the purpose of obtaining relief under the insupportable grievance of the stamp act*.

In this interval, every exertion which interest and resentment could suggest was employed to increase the popular fermentation. The practisers of the law generally resolved to forego their profession rather than make use of stamps. The officers appointed by government to distribute them were compelled by mobs to resign their offices, and undertake never to resume them. These insurrections occurring nearly at the same time in all parts of America, and having the same tendency, manifested a corresponding influence which governed all their motions. The immediate agents were of the lowest class, but evidently guided and protected by their superiors.

The proceedings at Boston, which served as a model for the rest, are thus described: About twilight, a small bonfire was kindled, and surrounded only by a few boys and children: the fire-ward, endeavouring to extinguish it, was desired, in a whisper, by an unknown person, to desist; not regarding this intimation, he received a blow on the arm, and such other marks of violence as compelled him to withdraw. Soon afterward, a particular whistle and whoop were heard, which served as a signal for the appearance of a great number of persons, disguised and armed with clubs and sticks, who burned the records of the admiralty, and destroyed the houses, furniture, and apparel of such public officers as had given offence. The respectable inhabitants disavowed these outrages; but rewards for the detection of the criminals were tendered in vain, and the governor attempted to induce the militia to assist in preserving the peace, without effect†.

* See a list of the first congress, Almon's Papers, vol. i. p. 27. The assemblies which sent commissioners were Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower counties on the Delaware, Maryland, and South Carolina. Timothy Ruggles, Esq. was their first president. Marshall's Life of Washington, vol. ii. p. 96.

† Almon's Collection of Papers, vol. i. p. 13, et passim. Stedman, vol. i. p. 39.

The intelligence of a change of ministry in England, which transferred the power of government to those who were believed to be adverse to the system adopted toward America, is supposed to have given energy to these tumults*; and the conjecture is rendered more probable from the vote of the freeholders of Boston, that addresses of thanks should be presented to General Conway and Colonel Barré, and their pictures be placed in the town-hall†.

Deputies from nine of the colonies met in congress. The four not represented were New Hampshire, Virginia, North Carolina, and Georgia. The assembly of New Hampshire promised concurrence in any petition which should be agreed on by the representatives of the other colonies. The assemblies in the other provinces were not sitting when the letter from Massachusetts Bay arrived, and the governors prevented their meeting till the day appointed for holding the congress was past. When the commissioners from Boston waited on the governor of New York, he said such a congress was unconstitutional, unprecedented, and unlawful, and he should give them no countenance: he did not, however, attempt to hinder their proceedings.

The members were, in general, men of warm passions; an impatience to return home, and the pride of those who were intrusted with the delicate commission of drawing up their resolves, had a bad effect on their transactions. These persons had not sought proper sources of information before they began to write, nor indeed before the congress was dissolved; and their compositions betrayed evident marks of hurry and imperfection. They determined on fourteen resolves, a petition to the King, another to the House of Commons, and a memorial to the House of Lords. They would not be persuaded to a full recognition of the authority of parliament in matters of taxation; but professed allegiance to the crown, and *due subordination* to the two houses. By their resolutions, they declared themselves entitled to all the rights of sub-

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18th Sept.

7th Oct.
Meeting of
congress.

* Stedman, vol. i. p. 38.

† Almon's Collection of Papers, vol. i. p. 16.

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jects born within the realm of Great Britain. They pronounced it essential to the freedom of a people, to be taxed only with their own consent; but the colonies neither were, nor, from local circumstances, could be, represented in the British House of Commons: their only representatives were in their colonial legislatures; and, except by them, no taxes had been, or could be constitutionally, imposed. They defined supplies to be gifts, and therefore inferred that the Commons of Great Britain could not constitutionally grant away American property. They claimed trial by jury as the right of the subject; the stamp act, and other acts of trade, tended to subvert that right. The duties lately imposed, they affirmed to be grievous, and the payment impracticable: the profits of their commerce centered in Great Britain, and therefore the inhabitants of America contributed largely to all supplies. The effect of the parliamentary restrictions was such as to prevent them from purchasing the manufactures of Great Britain; but the prosperity of the colonies depended on the enjoyment of their rights, and a mutually beneficial intercourse with the mother-country. They claimed, as subjects, the right of petitioning the King, Lords, and Commons, and declared it was their duty, by a loyal address to the Crown, and humble application to both Houses, to procure a repeal of the stamp act, and others restricting trade and extending the admiralty jurisdictions. The acts of the congress concluded by recommending the colonies to solicit their cause by special agents from each*.

These proceedings, conducted with a cautious attention to the externals of order and decorum, excited no immediate alarm; but the convocation produced most extensive and prejudicial effects. Their resolutions formed the basis and model of petitions and addresses which were procured throughout the colonies; and the interchange of opinion inflamed the spirit of opposition, while it destroyed fear of failure by the certain prospect of co-operation and support.

* Appendix, No. V. See also the proceedings at length, Almon's Collection of Papers, vol. i. p. 26. Stedman, vol. i. p. 39 to 42.

“ By the meeting of so many deputies at New York,” a judicious writer has observed, “ a communication was opened, and a correspondence established, between the leading men of all the colonies ; and a foundation was thus laid for uniting their common efforts, whenever future circumstances and the attempts of a future administration should render it necessary. One effect of the mutual understanding which took place among these leading men, was indeed discoverable ; for, as soon as they returned to their respective homes, associations were set on foot in all the colonies against the importation of British manufactures* ; such importation to cease after the 1st of January following, until the stamp act should be repealed : a measure which was probably concerted before they left New York†.”

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The effects of this determined spirit of opposition were speedily displayed. When ships arrived from England with stamped papers on board, the utmost industry was employed in preventing the unloading of their cargoes and compelling the officers of government to place the stamps in the custody of persons appointed to prevent their being used. The ships were not secure unless under the guns of men of war, or of forts. From these circumstances, and the resignation of the appointed distributors, on the day assigned for the operation of the act no stamps could be obtained. The administration of justice was impeded, except in criminal cases, in which stamps are not required ; and commerce was suspended by the impossibility of obtaining entries and clearances at the custom-houses. Some merchants ventured to send their ships on voyages with certificates from the governors that stamps could not be procured ; and the council and assembly of Massachusetts entered a daring resolution in their books, declaring it lawful to transact business without them‡.

The delivery of stamps prevented.

1st Nov.

* This measure did not succeed in the degree that was supposed : designing men, however, took advantage of it, when they had large stores of English goods on hand.

† Stedman, vol. i. p. 42.

‡ Ibid. Andrews' History of the War, vol. i. p. 42.

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Observations.

If the ministry were not convinced that the time was arrived, or nearly approaching, when the dependence of America on Great Britain must be dissolved, their conduct in tolerating the proceedings of the colonists was highly culpable. If they deemed such a separation now unavoidable, they did not meet the case with sufficient magnanimity, nor pursue a system calculated to diminish the danger and injury attending so great a divulsion from the mother-country. It was obvious that so large a body of people, separated by a wide ocean from the immediate effects of resentment, and encouraged by interest, and by the avowed approbation of a numerous and popular party in England, would not desist from a course of opposition, in which their greatest excesses were sanctioned by impunity.

Proceeding
of the mi-
nistry.

9th July.

The ministers were embarrassed with the difficulties of their situation, and equally unprepared for effectual resistance and dignified concession. One of their first measures respecting America was prudent, and, if followed by others distinguished for vigour, the result might have been highly beneficial. A minute was entered in the treasury books, importing, that in order to obviate the inconvenience of bringing into Great Britain the money raised in the colonies, it should be received by the deputy paymaster in America, to defray the subsistence of troops, and military expenses. The resolutions of the assembly of Virginia were laid before the board of trade, and by them reported to be a dangerous attack on the constitution of Great Britain; and they recommended that orders should be immediately issued for the executive power; and all the officers of government in Virginia concerned in enforcing the stamp duty, to exert themselves vigorously in supporting the authority of parliament, and with becoming firmness in exacting a due obedience to the law.

14th Sept.

A council was not held speedily after this resolution of the board of trade; but General Conway, secretary of state for the southern department, wrote to the governor of Virginia a letter of a weak and impolitic tendency. He expressed hopes that another assembly

would adopt decisions different from those transmitted to England, and advised him to make proper representations to the wise and sober part of the people. But even these unimportant and indecisive directions were qualified by an observation, that, as the matter was before the privy-council, he should not pretend to give advice or instructions. The same irresolution infected the council; they reported to the King, that this was a matter of the utmost importance to the realm and legislature; too weighty for their determination, and only to be discussed in parliament*. By this declaration, the council declined advising, because the subject was of importance, and referred to parliament for instructions whether obedience to its own acts should be enforced by the executive power. After holding this council, General Conway wrote a circular letter to the governors in America, in terms somewhat more decisive, but not sufficiently clear or dignified for the minister of an insulted government, who gives instructions in a critical emergency.

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3rd Oct.

24th Oct.

If the advice of the two houses was deemed necessary, the session ought to have commenced immediately, and proper measures should have been speedily adopted; but the parliament did not assemble till the 17th of December. In his speech from the throne, which was very short, the King observed, that the general tranquillity of Europe had led him to hope that he should not have found it necessary to assemble the two houses earlier than was usual in times of peace; but matters of importance had lately occurred in some of the colonies in America, which would demand their most serious attention. Further information was daily expected, which would be imparted for their consideration; and he had called them together, that the numerous vacancies which had occurred since the last session might be supplied, so that the parliament might be full, for the consideration of such weighty matters as would then come before them.

17th Dec.
Meeting of
parliament.

King's
speech.

The Earl of Hardwicke moved the Address; he considered the state of affairs in America as the greatest

Address in
the House
of Lords.

* See Almon's Collection of Papers, vol. i. p. 38.

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object in its extent and consequence that ever came before parliament; of the utmost importance to the royal and legislative authority; to the good order of government, and to the commerce and navigation of the kingdom. When the time came, he hoped these matters would be discussed deliberately, wisely, *sine ullis animorum incendiis*. As they could not be entered upon before the holidays, he could only move to assure His Majesty, that, when the accounts should be laid before them, they should be weighed with an attention equal to their importance. He added a congratulation on the birth of a prince, and a condolence on the death of the duke of Cumberland.

Amendment
moved.

An amendment was moved, expressing deep concern and indignation at the dangerous tumults and insurrections in America, and a sense of the indispensable necessity of vindicating and establishing the just power of the legislature, with a promise to concur in every measure to enforce the legal obedience of the colonies, and their constitutional dependence on the sovereign authority of this kingdom.

This proposition, so violent and untimely, was supported by the late ministers, who, in the course of the debate, did not hesitate to treat the proceedings in America as rebellious, and those who had aided in them as traitors. The administration, desirous to avoid debate, on that day said but little; the Duke of Grafton and Lord Dartmouth were the only speakers. Earl Temple voted with the minority, on the principle of strongly asserting the rights of the English parliament over America; and Lord Shelburne deprecated the amendment, which seemed to preclude a repeal, before it had been thoroughly considered how far it might be necessary. The amendment was rejected*.

House of
Commons.

In the House of Commons, a long and unexpected debate took place, bearing chiefly on the words of the address, which was moved by Lord George Cavendish, and seconded by Lord Palmerston. Mr. George

* 80 to 24. The account of the Earl of Hardwicke's speech is derived from the Parliamentary History, vol. xvi. p. 84; the rest of the debate from a letter by Lord Shelburne to Mr. Pitt. Chatham Correspondence, vol. ii. p. 353.

Grenville, and members who coincided with him, treated with asperity those who had advised His Majesty to speak of the late events in America merely as important occurrences, when in fact they amounted to rebellion; and Mr. Grenville moved an amendment, mentioning them as outrageous tumults and insurrections, a resistance given by open and rebellious force to the execution of the laws.

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It was admitted that there was a want of fairness in introducing these matters, when those who could have answered for themselves were unavoidably absent; and it was cruel to fix on the colonies the charge of rebellion, because a tumultuous set of people had been riotous. The amendment being withdrawn, the address was voted without a division*. The houses separated for the Christmas recess, without transacting any business, except issuing writs to fill up vacancies.

Recess.

In this interval, a meeting was held at the house of the Marquis of Rockingham, for the purpose of arranging measures against the opening of the session, and particularly with respect to the late transactions in America. Among the persons present, were the Marquis of Rockingham, Lord Egmont, General Conway, Mr. Dowdeswell, the Earl of Dartmouth, and Mr. Yorke. It was proposed to declare, by an act of parliament, the legislative power of Great Britain over America, and inflict penalties of high treason on those who should impeach that authority, either by speaking or writing. The supremacy of the parent-country being thus ascertained, it was recommended to bring in a bill to explain and amend the stamp act, so as to render the operation easy, and its provisions unexceptionable. The principal alterations suggested were, that duties should be paid in currency, instead of sterling money; offences against the act tried in courts of record, instead of the court of vice-admiralty; and the merchants relieved, by taking off, or greatly reducing, the stamps on cockets and clearances. But this advice did not prevail; the opinions previously delivered by

27th Dec.
Consultation
of ministry.

* The only account of this debate which I have seen, is in a letter (17th Dec. 1765) from George Cooke, Esq. to Mr. Pitt. Chatham Correspondence, vol. ii. p. 350.

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some members of administration were incompatible with such measures; and although Mr. Dowdeswell, chancellor of the exchequer, produced letters from New York, importing that the money collected from the duty on molasses had been detained in the colony by the threats and orders of the mob, yet no vigorous proceeding was resolved on. In fact, the ministry formed no regular or consistent plan of operation and mutual support*, and decided nothing except the terms in which the King's speech should be comprised.

1766.
14th Jan.
Meeting of
parliament.

In that address, His Majesty, after observing that he had directed the proper papers to be laid before the two houses, said, "No time has been lost, on the first advice of these disturbances, to issue orders to the governors of American provinces, and commanders of forces, for the exertion of all the powers of government in suppressing riots and tumults, and in the effectual support of lawful authority." Whatever remained to be done was committed to the wisdom of the legislature.

Debate on
the address.

In the debate on the address, the difference of sentiment which prevailed in the cabinet became apparent, and the contest was not properly between ministry and opposition, but between those who favoured and those who disavowed the taxation of America. Mr. Nugent (afterwards Earl of Clare) insisted that the honour and dignity of the kingdom required a compulsory enforcement of the stamp act, unless the right of parliament was acknowledged, and the repeal solicited as a favour. He computed the expense of the troops employed in America for their defence at ninepence in the pound of the land-tax, while the produce of the stamp act would not raise a shilling a head on the colonists†; but a pepper-corn, in acknowledgment of right, was of more value than millions without that homage.

* From private information, and minutes of the conference.

† The greatest sum proposed to be raised by the stamp act was £100,000 per annum. One shilling each from the inhabitants of America, who were computed at two millions and a half, would give £125,000. This calculation, however, is shewn by Lord Sheffield, in his observations on the commerce of the American States, to be grossly exaggerated.

Mr. Pitt was conspicuous on the opposite side. He informed the House that he was unconnected and unconsulted; and having desired a second reading of the speech and address, sarcastically applauded both, because nothing was decided respecting America, and every one was left at liberty to assume such part as he should see fit. He disapproved of the tardiness displayed in giving notice to the legislature of the American troubles, which ought to have been imparted immediately; and condemned, without reserve, every capital measure of the late ministry. He had no objection to the present administration; they were men of fair characters, and such as he was glad to see in His Majesty's service. He had never been made a sacrifice by any of them: some had asked his opinion before they would engage: he had advised them to take official situations, but could not give them his confidence. "Pardon me, gentlemen," he said, bowing to the ministry, "confidence is a plant of slow growth in an aged bosom; youth is the season of credulity. By comparing events with each other, reasoning from effects to causes, methinks I plainly discover the traces of an over-ruling influence. There is a clause in the act of settlement obliging every minister to sign his name to the advice which he gives to his sovereign. Would it were observed!—I have had the honour to serve the crown, and if I could have submitted to influence, I might have still continued to serve; but I would not be responsible for others. I have no local attachments: it is indifferent to me whether a man was rocked in his cradle on this side or that side of the Tweed. I sought for merit wherever it was to be found. It is my boast that I was the first minister who looked for it, and found it in the mountains of the North. I called it forth, and drew into your service a hardy and intrepid race of men!—men who, when left by your jealousy, became a prey to the artifices of your enemies, and had gone nigh to overturn the state in the war before the last. These men, in the last war, were brought to combat on your side; they served with fidelity, as

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Arguments of
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“ they fought with valour, and conquered for you in every part of the world ;—detested be the national reflections against them ! they are unjust, groundless, illiberal, unmanly.—When I ceased to serve His Majesty as a minister, it was not the country of the man by which I was moved—but the man of that country wanted wisdom, and held principles incompatible with freedom.”

Mr. Pitt then said, when the resolution was adopted to tax America, he was confined by illness ; but so great was the agitation of his mind for the consequences, that if he could have endured to be carried in his bed, he would have solicited some kind hand to lay him on the floor of the House, that he might bear testimony against it. He hoped an early day would be appointed to consider the state of the nation with respect to America, and that the discussion would be conducted with temper and impartiality. A more important subject never engaged the attention of the House ; that only excepted, when, near a century ago, the Commons debated whether they themselves were to be bound or free. In the mean time, as he could not depend on his health for a future day, he should say a few words at present. Leaving the justice, the equity, the policy, and the expediency of the act to another time, he would confine himself to the right, a point which seemed not generally understood. He reprobated the argument of Mr. Nugent, which had a tendency to make it a point of honour. If gentlemen considered it in that light, they left all measures of right and wrong, to follow a delusion which might lead to destruction. He then declared his opinion that *Great Britain had no right to lay a tax upon the colonies* ; although, at the same time, he asserted the authority of Great Britain over them to be sovereign and supreme in every case of legislation. “ The colonists,” he said, “ are subjects of this kingdom, equally entitled with yourselves to all the natural rights of mankind, and the peculiar privileges of Englishmen ; —equally bound by its laws, and equally participating in the constitution of this free country. The

“ Americans are the sons, not the bastards, of England. Taxation is no part of the governing or legislative power. Taxes are the voluntary gift and grant of the Commons alone. In legislation, the three estates of the realm are alike concerned; but the concurrence of the peers and the crown to a tax, is only necessary to clothe it with the form of a law; the gift and grant is of the Commons alone. In ancient days, the crown, the barons, and the clergy possessed the lands. In those days, the barons and the clergy granted to the crown; they gave and granted what was their own. At present, since the discovery of America, and other circumstances permitting, the Commons are become the proprietors of the land; the church (God bless it!) has but a pittance; the property of the Lords, compared with that of the Commons, is as a drop of water in the ocean; and this House represents those Commons, the proprietors of the lands; and those proprietors virtually represent the rest of the inhabitants. When, therefore, in this House we give and grant, we give and grant what is our own. But in an American tax, what do we do? We, Your Majesty's Commons for Great Britain, give and grant to Your Majesty, what? Our own property?—No; we give and grant to Your Majesty the property of Your Majesty's Commons of America. It is an absurdity in terms. The distinction between legislation and taxation is essentially necessary to liberty. The crown, the peers, are equally legislative powers with the Commons. If taxation be a part of simple legislation, the crown, the peers, have rights in taxation as well as yourselves: rights which they will claim, which they will exercise, whenever the principle can be supported by power. There is an idea in some, that the colonies are virtually represented in the House. I would fain know by whom an American is represented here? Is he represented by any knight of the shire in this kingdom? Would to God that respectable representation were augmented to a greater number! Or, will you tell him

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"that he is represented by any representative of a borough? a borough which perhaps its own representatives never saw.—This is what is called *the rotten part of the constitution*.—It cannot continue a century. If it does not drop, it must be amputated. The idea of a virtual representation of America in this House is the most contemptible that ever entered into the head of man: it does not deserve a serious refutation. The commoners of America, represented in their several assemblies, have ever been in possession of the exercise of this, their constitutional right, of giving and granting their own money. They would have been slaves, if they had not enjoyed it. At the same time, this kingdom, as the supreme governing and legislative power, has always bound the colonies by her laws, by her regulations and restrictions, in trade, in navigation, in manufactures; in every thing except that of taking their money out of their pockets without their consent. Here I would draw the line, '*quam ultra citraque nequit consistere rectum*.'"

General
Conway.

A considerable pause succeeded this remarkable speech, which was well calculated to produce an animated reply; but no one rising, General Conway declared his sentiments were entirely conformable to those of Mr. Pitt. He accounted for the tardy notice to parliament of the troubles in America, by saying, the first accounts were too vague and imperfect to be worthy of notice*. "An over-ruling influence," he said, "has been hinted at. I see nothing of it;—I feel nothing of it;—I disclaim it for myself, and, as far as my discernment can reach, for the rest of His Majesty's ministers."

Mr. Gren-
ville.

Although Mr. Pitt was so far gratified by General Conway's coincidence in opinion, and by some high compliments contained in his speech, as to admit the validity of his excuse if it was true; Mr. Grenville,

* This assertion of the secretary of state could hardly be correct. The resolutions of the assembly of Virginia were not vague information; the resolutions entered into by the other assemblies to form a congress were clearly announced; and the minute of council of the 3rd October shews that the ministry did not consider these matters of small importance.

who spoke in defence of his own measures, was not disposed to treat the matter with so much lenity. He censured the ministry, with great severity, for delaying to give earlier notice of the disturbances in America. He said, " they began in July, and now we are in the middle of January ; lately they were only occurrences ; they are now grown to disturbances, to tumults, and riots ; I doubt they border on open rebellion ; and, if the doctrine of this day be confirmed, that name will be lost in revolution. The government over them being dissolved, a revolution must take place in America. I cannot understand the difference between external and internal taxes. They are the same in effect, and only differ in name. That this kingdom has the sovereign, the supreme legislative power over America, is granted ; it cannot be denied : and taxation is a part of that sovereign power. It is one branch of legislation. It is, and it has been, exercised over those who are not, who never were, represented. It is exercised over the East India Company, the merchants of London, the proprietors of the stocks, and over the great manufacturing towns. It was exercised over the palatinate of Chester, and the bishopric of Durham, before they sent any representatives to parliament. I appeal for proof to the preambles of the acts which gave them representatives : the one in the reign of Henry VIII., the other in that of Charles II." Mr. Grenville then quoted the acts, and desired they might be read ; which being done, he continued : " When I proposed to tax America, I repeatedly asked the House if any objection could be made to the right ; but no one attempted to deny it. Protection and obedience are reciprocal. Great Britain protects America : America is bound to yield obedience. If not, tell me when the Americans were emancipated ? When they want the protection of this kingdom, they are always ready to ask it ; that protection has always been afforded them in the most full and ample manner. The nation has run itself into an immense debt to give them protection ; and now they are

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“ called upon to contribute a small share toward the
 “ public expense,—an expense arising from them-
 “ selves,—they renounce your authority, insult your
 “ officers, and break out, I might almost say, into open
 “ rebellion. The seditious spirit of the colonies owes
 “ its birth to the factions in this house. Gentlemen
 “ are careless of the consequences of what they say,
 “ provided it answers the purposes of opposition. We
 “ were told we trod on tender ground; we were bid
 “ to expect disobedience. What was this but telling
 “ the Americans to resist the law,—to encourage their
 “ obstinacy with the expectation of support from
 “ hence? Let us only persevere for a short time, they
 “ would say, our friends will soon be in power. Un-
 “ grateful people of America! Bounties have been
 “ extended to them: when I had the honour of serving
 “ the Crown, while you yourselves were loaded with
 “ an enormous debt, you have given bounties on their
 “ lumber, on their iron, their hemp, and many other
 “ articles. You have relaxed, in their favour, the act
 “ of navigation, that palladium of British commerce:
 “ and yet I have been abused in all the public papers
 “ as an enemy to the trade of America. I have been
 “ particularly charged with giving orders and instruc-
 “ tions to prevent the Spanish trade, and thereby stop-
 “ ping the channel by which alone North America
 “ used to be supplied with cash for remittances to this
 “ country. I defy any man to produce any such orders
 “ or instructions. I discouraged no trade but what
 “ was illicit, what was prohibited by act of parliament.
 “ I was above giving an answer to anonymous calum-
 “ nies: but in this place it becomes me to wipe off
 “ the aspersion.”

Mr. Pitt in
reply.

When Mr. Grenville ceased speaking, several mem-
 bers rose; but Mr. Pitt appearing to be one of the
 number, the others receded, and the House clamor-
 ously required that he should be heard. In his exor-
 dium, Mr. Pitt observed, he only meant to have thrown
 out a few hints on the right of taxation, which was at
 least equivocal; but since Mr. Grenville had gone into
 the justice, the equity, the policy, the expediency of

the stamp act, he would follow him through the whole field, and combat his arguments on every point. This declaration produced an objection on the point of order; but that question being decided in Mr. Pitt's favour, he, by desire of the House, thus proceeded: "I have been charged with giving birth to sedition in America. Sorry I am to hear the liberty of speech in this House imputed as a crime. But the imputation shall not discourage me. It is a liberty I mean to exercise. No gentleman ought to be afraid to exercise it. It is a liberty by which the gentleman who calumniates it might have profited. He ought to have profited. He ought to have desisted from his project. The gentleman tells us America is obstinate; America is almost in open rebellion. I rejoice that America has resisted. Three millions of people so dead to all the feelings of liberty, as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest. I come not here armed at all points with law cases and acts of parliament, with the statute-book doubled down in dogs'-ears, to defend the cause of liberty. If I had, I myself would have cited the two cases of Chester and Durham; I would have cited them to shew, that, even under arbitrary reigns, parliaments were ashamed of taxing a people without their consent, and allowed them representatives. Why did the gentleman confine himself to Chester and Durham? He might have taken a higher example in Wales—Wales, that never was taxed by Parliament until it was incorporated."

Mr. Pitt then deprecated the consideration of the question as a mere point of law, for which he acknowledged his inability; but wished it might be discussed on a constitutional principle; that being a ground on which he stood firm, and could boldly meet any man. He distinguished between the Americans, who were not and could not be represented in parliament,—and the merchants, stockholders, and manufacturers, who were represented, or might be if they would. He recapitulated the names and characters of

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the chief ministers since the revolution ; none of whom, he said, ever thought or dreamed of robbing the colonies of their constitutional rights. There were not wanting some who had endeavoured to persuade him, when minister, to burn his fingers with an American stamp act ; and perhaps, under the then circumstances, they might have submitted ; but it would have been taking an unjust and ungenerous advantage.

“ I am no courtier of America,” he said ; “ I stand up for this kingdom. I maintain that the parliament has a right to bind, to restrain America. Our legislative power over the colonies is sovereign and supreme. When it ceases to be sovereign and supreme, I would advise every gentleman to sell his lands, if he can, and embark for that country. When two countries are connected together, like England and her colonies, without being incorporated, the one must necessarily govern ; the greater must rule the less ; but so rule it, as not to contradict the fundamental principles that are common to both. There is a plain distinction between taxes levied for the purposes of raising a revenue, and duties imposed for the regulation of trade, for the accommodation of the subject ; although, in the consequences, some revenue might incidentally arise from the latter. The gentleman asks, when were the colonies emancipated ? I desire to know when they were made slaves ? But I dwell not upon words*.”

Mr. Pitt then asserted that the profits to Great Britain from the trade of the colonies, through all its branches, were two millions a year. “ This was the fund which carried us triumphantly through the last war. This is the price America pays for protection. And shall a miserable financier come with a boast, that he can fetch a pepper-corn into the Exchequer, by the loss of millions to the nation ! I am con-

* In this observation, Mr. Pitt appears to have given a too strict or limited interpretation to a word. Emancipation, as used by Mr. Grenville, is a term employed in the laws for relief of the poor, to denote the condition of a child freed by age or circumstances from the control of his parents ; and it was not, as Mr. Pitt was pleased to suppose, meant to describe the manumission of a slave.

“vinced,” he added, “the whole commercial system of
 “America may be altered to advantage: you have
 “prohibited where you ought to have encouraged;
 “and you have encouraged where you ought to have
 “prohibited. Improper restraints have been laid on
 “the Continent in favour of the Islands. Let the acts
 “of parliament in consequence of treaties remain; but
 “let not an English minister become a custom-house
 “officer for Spain, or for any foreign power. Much is
 “wrong; much may be amended for the general good
 “of the whole. The gentleman must not wonder he
 “was not contradicted, when, as minister, he asserted
 “the right of parliament to tax America. I know
 “not how it is, but there is a modesty in this House
 “which does not choose to contradict a minister.
 “Even your chair, Sir, looks too often toward St.
 “James’s. I wish gentlemen would think better of
 “this modesty. If they do not, perhaps the collective
 “body may begin to abate of its respect for the repre-
 “sentative. A great deal has been said without doors
 “of the power, of the strength of America. It is a
 “topic that ought to be cautiously meddled with. In
 “a good cause, on a sound bottom, the force of this
 “country can crush America to atoms; but on this
 “ground, on the stamp act, when so many here will
 “think it a crying injustice (I am one who will lift up
 “my hands against it); in such a cause, your success
 “would be hazardous. America, if she fell, would
 “fall like the strong man; she would embrace the pil-
 “lars of the state, and pull down the constitution
 “along with her.” Mr. Pitt, deprecating too much
 severity in judging the conduct of the Americans, said,
 “I acknowledge they have not acted in all things with
 “prudence and temper: they have been wronged;
 “they have been driven to madness by injustice. Will
 “you punish them for the madness you have occa-
 “sioned? Rather let prudence and temper come first
 “from this side. I will undertake for America, that
 “she will follow the example. There are two lines in
 “a poem of Prior, on a man’s behaviour to his wife,

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“ so applicable to you and your colonies, that I cannot
“ help repeating them ;

“ ‘ Be to her faults a little blind :

“ ‘ Be to her virtues very kind——’

“ In conclusion, he gave it as his opinion, that the
“ stamp act should be repealed absolutely, totally, and
“ immediately ; and the reason assigned, that it was
founded on an erroneous principle. “ At the same time,”
he added, “ let the sovereign authority of this country
“ over the colonies be asserted, in as strong terms as
“ can be devised, and be made to extend to every
“ point of legislation ; that we may bind their trade,
“ confine their manufactures, and exercise every power,
“ except that of taking their money without their con-
“ sent.” The address was carried without division*.

Papers pre-
sented and
referred to
committees.

According to the promise in the King’s speech,
papers were immediately presented to both houses
relative to the disturbances in America, and fresh
documents were from time to time supplied, as new
intelligence arrived. They were referred to commit-
tees ; and, while they were under consideration, nu-
merous petitions were presented, praying for a repeal
of the stamp act. It was asserted in parliament, and
repeated in print, with an appearance of truth, that
these petitions were encouraged by the ministers† ;
an assertion apparently founded on fact, as the mi-
nistry were determined to effect that favourite mea-

* This debate is to be found in Debrett’s Debates, vol. iv. p. 288 ; in the Parliamentary History, vol. xvi. p. 93 ; and in the Life of Lord Chatham, vol. i. p. 427, where the editor states that the speeches were taken by Sir Robert Dean, assisted by the Earl of Charlemont. (A spirited account of the debate, with some piquant anecdotes, is published in Lord Charlemont’s Correspondence, p. 5, but the letter is erroneously dated 8th January.) The whole debate appeared in 1766, in the form of a pamphlet, intitled “ Political Debates,” and to evade the resentment of the House, the place of impression was said to be Paris. Mr. Pitt’s speeches do honour to his abilities as an orator, but not to his wisdom as a politician, or his prudence as a senator. Mr. Burke made his first parliamentary exertion in this debate, and acquired the applause of Mr. Pitt ; but no account of his speech is yet given to the public. Testimonials of the effect of his speech, and his first parliamentary exertions in general, are collected by Mr. Prior. Life of Burke, vol. i. p. 149.

† See Mr. Nugent’s speech, Debrett’s Debates, and Parliamentary History, ubi sup. ; Stedman’s History of the American War, vol. i. p. 45.

sure, although the manner of carrying it into execution was left undecided.

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The utmost concession, agreeable to the views of those who were strenuous in supporting the authority of Great Britain, was a partial repeal or modification of the stamp act. Those who followed the principles laid down by Mr. Pitt, demanded a total relinquishment of the measure, and that the assertion of the supreme authority of Great Britain should be accompanied with an humiliating declaration. The ministry pursued a middle course; they resolved to repeal the tax, without specifying their reasons; but, at the same time, to declare the undoubted right of parliament to make laws binding the British colonies in all cases.

To establish the propriety of these measures, witnesses were examined before the committee of the House of Commons, and particularly Dr. Franklin. His testimony deserves great attention, although it evidently appears, on the perusal, that questions had been planned and were propounded for the purpose of giving occasion to epigrams or declamations in the form of answers. It tended to prove the stamp duty in every respect impolitic, and injurious to the country; that the Americans would never submit to it, however modified, unless compelled by arms. He was of opinion, that the colonists would be satisfied with the repeal, even though an act should be passed declaring the right of parliament to impose taxes at pleasure; but the assemblies would never be induced, either by kindness or compulsion, to rescind their resolutions.

21st Jan.
Evidence
before the
House.

On application for leave to bring in a bill to *repeal* the stamp act, a motion to substitute the words *explain and amend* was over-ruled. The minority was numerous and respectable, both for talents and property*.

21st Jan.

In the committees, the facts and principles involved in and connected with the late transactions were carefully investigated, and a series of resolutions, in the same terms, proposed in each house.

10th Feb.
Resolutions
proposed.

* For the amendment 167, against 275.

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 Debate on
 the first in
 the House
 of Lords.

The first resolution, importing that the King, with the consent of both Houses of Parliament, had full power and right to make laws, of sufficient force to bind the people of America in all cases, occasioned in the House of Lords a strenuous and able debate. Much diversity of opinion was entertained, even among those who concurred in the same end; the supporters of administration not speaking in exact conformity to each other, while their opponents did not precisely accord in the extent to which they would carry their doctrines.

 The Duke
 of Grafton.

In recommending the resolution, the Duke of Grafton said, he should not have offered it, but that the right had been questioned by eminent persons here, as well as by the Americans, whom he considered to have been deluded into a belief that England had given them up, and toward whom he recommended measures of lenity.

 Lord
 Shelburne.

Without giving any direct opinion on the right to tax, Lord Shelburne disapproved of bringing constitutional questions into debate, except in matters of the highest importance. The true question was, whether tranquillity should be restored and commerce opened by a repeal of the stamp act, or confusion perpetuated by enforcing it? He cited, as an instance to shew the impolicy of persisting, the city of Antwerp, which had refused one hundred and nine times to submit to a tax, which the Emperor had thus been induced to abandon as inexpedient.

 Lord
 Lyttelton.

Lord Lyttelton agreed that the question ought not to have been agitated, because it had been decided by the laws of this country: but it had first been agitated in America, where the right was denied. Arguing from accredited axioms and established principles, he maintained, in its utmost extent, the right of Great Britain to make laws binding on all the subjects of the Crown. Civil society was formed by men associating on what might be called an original compact, and there could not be two adverse and mutually destructive rights; one in the government to make laws, and one in any portion of the people to oppose or disobey

them. There might be legislatures with restricted powers, and such were those of the colonies. The people there went out subjects of Great Britain, and, unless they could shew a new compact made between them and the parliament (for the King alone could not make a new compact with them), they continued subjects to all intents and purposes, and if subjects, then liable to the laws of the country. He insisted that they were bound by statutes, to which they were virtually consenting; for colonies, as subjects of Great Britain, were represented, and did consent to all statutes. The argument that they would not submit to the stamp act, because it imposed an internal tax, would extend equally to all acts of parliament; they might, if they found themselves cramped by it, oppose the Navigation Act also. "The only question," he proceeded, "is, whether the American colonies are a part of the dominions of the crown of Great Britain? If not, the parliament has no jurisdiction; if they are, as many statutes have declared them to be, they must be proper objects of our legislature: and by declaring them exempt from one statute or law, you declare them no longer subjects of Great Britain, and make them small independent communities not entitled to your protection. If opinions of this weight are to be taken up and argued upon, through mistake or timidity, we shall have many legislators; we shall have Lycurguses and Solons in every coffee-house, tavern, and gin-shop in London."

These observations called up Lord Camden, who, while he regretted that on his first time of speaking in that house he must differ from a lord of such superior ability and learning, viewed the proposition as an abstract question, affecting the common rights of mankind; an abstract question to be judged of gravely and deliberately, without regard to the authority of any individual who might speak on one side or the other.

"My Lords," he proceeded, "he who disputes the authority of any supreme legislature treads upon very tender ground. It is therefore necessary for me, in setting out, to desire that no inference may

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“ be drawn from any thing I shall advance. I deny
 “ that the consequences of my reasoning will be, that
 “ the colonies can claim independence, or that they have
 “ a right to oppose acts of the legislature in a rebellious
 “ manner, even although the legislature has no right
 “ to make such acts. In my opinion, the legislature
 “ had no right to make this law sovereign authority:
 “ the omnipotence of the legislature is a favourite
 “ doctrine; but there are some things they cannot do.
 “ They cannot take away any private property without
 “ making compensation. They have no right to con-
 “ demn any man by bill of attainder, without hearing
 “ him. But although the parliament cannot take any
 “ man’s private property, yet every subject must make
 “ contribution. And this he consents to do by his
 “ representatives.”

He considered the resolution proposed as too general, giving to the legislature an absolute power of laying any tax upon America. In ancient times, the King, Lords, and Commons, could not tax the Clergy; the counties palatine, little feudal governments exercising regal authority, were required, by writ, to tax themselves. Wales was not taxed, until united with England and represented; Calais and Berwick, when conquered, sent members to parliament; Guernsey, Jersey, and the Isle of Man, not being yet a part of the realm of England, had never been taxed; and Ireland taxed itself, and could not be taxed by the British Parliament.

But even supposing the Americans to have no exclusive right to tax themselves, it would be good policy to give it them. “ America feels that she can
 “ do better without us, than we without her.”

Lord
 Chancellor
 Northington.

Lord Chancellor Northington answered these arguments with much harshness. He considered the doctrines advanced, as new, unmaintainable, and unconstitutional; the production of a heated imagination, accompanied by a facility of expression and readiness of language. Every government can arbitrarily impose laws on all its subjects; there must be a supreme dominion in every state, whether monarchical, aristo-

cratical, democratical, or mixed; and all subjects must be bound by the laws made by the government. But the noble lord attempted to distinguish between the civil power of government and its casuistical power. Every legislature should make laws for the benefit and safety of the whole; but if they made them on a contrary principle, a resistance could only be made at the risk of life and fortune.

He did not know, that because Pope Boniface had power to make the King and Parliament obey his orders in relation to the Clergy taxing themselves, it afforded an argument for their right to do so. He could seek for the constitution no further back than the revolution; and, in the reign of King William, an act had passed, avowing the power of this legislature over the colonies. After making some observations on the possibility of suspending, and expediency of repealing, the stamp act, he said, "What have these favourite Americans done? They have called a meeting of their states, and they have entered into resolutions, by which, in my opinion, they have forfeited their charters. The colonies are become too big to be governed by the laws they first set out with. They have therefore run into confusion, and it will be the policy of this country to form a plan of laws for them. If they withdraw allegiance, you must withdraw protection; and then, the little state of Genoa, or the kingdom or rather republic of Sweden, may soon overrun them."

In language more moderate and polished, Lord Mansfield opposed the arguments of Lord Camden. He considered the question to be, whether the proposition asserted in the first resolution was true or not, and that the observations of writers on the laws of nature or of other nations were altogether inapplicable. Nor was the expediency of repealing the act, or the rules which ought to govern the legislature in making laws, the point under consideration: the law was made, and it was to be decided whether or not they had a right to make it.

Lord
Mansfield.

He denied the proposition that parliament could

take no man's property without his consent; it frequently took private property without making what the owner considered a compensation. He had been anxious, during the debate on this great question, to preserve unanimity, and verily believed that, if parliament had concurred in sentiments for the benefit of the whole, this great evil, as it then was, would have turned out for the advantage of the whole, and that the Americans, if they had been allowed time to cool, would have obeyed the law. He did not look upon Otis's pamphlet as other lords might; as totally unworthy of regard. It might be called silly and mad; but mad people, or those who entertained silly and mad ideas, had led nations to rebellion and overturned empires*.

His Lordship argued two propositions—1st. That the British legislature, as to the power of making laws, represents the whole British empire, and has authority to bind every part and every subject, without distinction, whether they had a right to vote or not, or whether the places affected were within the realm or without; and 2nd. That the colonists, by the condition on which they migrated, settled, and still exist, were more emphatically subjects of Great Britain than those within the realm; and that the British parliament had, in every instance, exercised the right of legislation over them, without dispute or question, until the first day of the present session.

In support of the first proposition, he stated, that, as in every government, the legislative and executive power must be lodged somewhere, so, in Great Britain, the legislative was in Parliament, the executive in the Crown. The parliament first depended on tenures; representation arose by favour from the crown; and the

* This pamphlet, intitled "The Rights of the British Colonies asserted and "proved," was the production of James Otis, Esq. who, in May 1764, was chosen one of the representatives of the town of Boston, at the general assembly. With an affected display of reading, ancient and modern, historical, philosophical, legal and political, it puts forth wild and extreme doctrines concerning society and government, the right of individuals, the powers of the state, and the limitations of the duty of obedience. It appears to have been, in its day, considered as a text-book of some authority.

notion that every subject must be represented by deputy, if he does not vote in parliament himself, was merely ideal.

The Bank, the East India and South Sea Companies, have no representation; the clergy, in former times, demanded a right to tax themselves; they were supported by the Pope, and the King and parliament were so weak as to admit the claim; but such an admission was no proof of the right. Nor ought any distinction to be made between the authority of parliament over parts within or without the realm. It was an established rule of construction, that parts without the realm were not bound, unless named; a rule which established the right of parliament; for, unless they had a right, the distinction would not have been made.

Adverting to the places which had been mentioned as exempt from taxation because not part of the realm, Lord Mansfield observed, that before members for that principality were returned, so early as the 12th of Edward the First, Wales was described in the statute as a part of the crown of England. He made similar statements with respect to Guienne, Calais, and the Isle of Man. The origin of representation in the counties palatine, in Calais and in Berwick, was, that they were liable and bound by all the laws made in parliament; and therefore, as an act of justice, it was due to them. In several statutes before the time of Henry the Eighth, when Wales first returned members to parliament, that country was, by name, excepted out of the statutes for imposing taxes; and the reason assigned in those statutes was, that the people paid to the King *mises*, which was a tax. In the twenty-seventh year of that monarch, the *mises* were abolished, and the people were taxed like all other subjects of this "realm. But as a distinction has been taken," his lordship added, "between the power of levying taxes, and making laws, I must declare, that, after the most diligent researches on that head, I cannot find any."

In supporting his second proposition, his lordship

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describes three sorts of colonies in America—King's, proprietary, and charter provinces, and detailed the particular condition of each. The charter provinces were all on the same footing with our great corporations in London; and, in the time of Charles the Second, the charter of Massachusetts's Bay was vacated in chancery, for an abuse of it. Now, was it to be supposed, that a legislature could exist, with the sole power of laying taxes, when it could be destroyed here by a process out of the Court of Chancery or King's Bench? It appeared, in the journals of the House of Commons, that, upon a bill for a fishery being introduced, in the reign of James the First, a doubt had been expressed, whether parliament had anything to do with America; Coke said that the province was held of the manor of East Greenwich, and granted by charter under the great seal; the answer was considered sufficient, and the bill passed. During the Commonwealth, an act was made, avowing the subjection of the colonies to England; the act of settlement was of England and all the dominions thereto belonging; if the Americans were not subject to English statutes, the act of settlement would not bind them. There were also many statutes laying taxes on America; there was no difference, in fact, between taxes internal and external; but if there was, could acts giving duties, customs, and erecting a post-office, be considered otherwise than laying an internal tax?

His lordship noticed, as a fact, that in 1724 the assembly of Jamaica having refused to raise taxes for their necessary support, and a reference being made to Sir Clement Worge and Lord Hardwicke to know whether the King could not lay a tax, they answered, that if Jamaica was to be considered as a conquered country, it ought to be done, but not otherwise: but this notion, Lord Mansfield observed, was of very modern date.

In conclusion, he laid down a proposition in these terms: "When the supreme power abdicates, then government is dissolved. Take care, my Lords, that you do not abdicate your authority. In such an

“event, you would leave the worthy and innocent, as well as the worthless and guilty, to the same confusion and ruin.”

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The resolutions were carried, and it does not appear that any division took place. In the House of Commons, they occasioned a debate, which ended in a general agreement, and the resolutions were voted*.

Feb. 24.

In pursuance of these resolutions, Mr. Fuller, who had acted as chairman of the Committee during the investigation of the papers, brought in a bill for better securing the dependency of His Majesty's dominions on the crown and parliament of Great Britain; and, on the same day, Mr. Conway introduced one for repealing the stamp act; both which seem to have occasioned vehement debates; but few traces of them are preserved.

Feb. 26.
Declaratory
bill,

and stamp
act repealing
bills brought
in.

When the declaratory bill was in the upper House, Lord Camden made some observations on arguments which had been used by Lord Mansfield and Lord Northington. He complained of being represented as the broacher of new-fangled doctrines, contrary to

March 11.
Declaratory
bill.
Speech of
Lord
Camden.

* Chatham Correspondence, vol. ii. pp. 375, 382. At the time when I was first preparing these volumes for publication, there was no record or trace of this debate; it has since appeared in the Parliamentary History, vol. xvi, p. 163. In the obscurity occasioned by the want of regular information, it is difficult, by the mere aid of epistolary correspondence, to trace exactly the course and order of events. Facts are most probably communicated exactly in the words of the writers; but mistakes of transcribers, an imperfect state of the documents themselves, or carelessness in the writers with respect to date and minor circumstances, may have produced errors for which it would be vain to attempt a remedy. Thus, in a letter from Mr. Pitt to Lady Chatham, which appears in the correspondence (vol. ii. p. 363) under the date of the 15th of January, 1766, he complains of fatigue, not getting to bed till past four, and says that three members debated strenuously the rights of America: the resolution passed for England's right to do what the treasury pleases with three millions of free men; and that Lord Camden in the Lords was divine. It is difficult to tell how the date came to be affixed to this letter, or how the parts of it can be combined. The able and industrious editors of the work suppose its matter applicable to the debate on the address, and give Mr. Pitt's speech at length in a note. Yet, upon that day, no resolution was passed respecting the right to tax America, nor did Lord Camden on that day display any signs of his divinity; for, in commencing his speech above cited, on the 16th of February, he mentions that as the first time of his speaking in the house; nor did he divide among five, for the address was voted without a division. There is no reason to doubt that Mr. Pitt wrote this letter; but certainly not on the day on which it is dated; and, for want of other information, it is impossible to disentangle the confusion, which extends to some other particulars, and makes the historical narrative less connected and clear than it ought to be. The same observation applies to a letter of Gerard Hamilton, from which is derived the statement of Lord Mansfield's remarks on Lord Camden's tardiness.

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the laws of the kingdom, and subversive of the rights of parliament: he had since strictly reviewed his arguments and reconsidered his authorities, determined, if he found himself mistaken, publicly to own his mistake; but his researches had more and more convinced him that the British Parliament had no right to tax the Americans. He considered a discussion on the bill as a mere loss of time; its very existence was illegal; absolutely illegal; contrary to the fundamental laws of the constitution. His doctrine, that taxation and representation are inseparably united, was not new; it was as old as the constitution; grew up with it, and was its support. "Taxation and representation," he proceeded, "are inseparably united; God has joined them; no British parliament can separate them; to endeavour to do it is to stab our very vitals. This position I repeat, and will maintain it to my last hour; this position is founded on the law of nature; it is itself an eternal law of nature; for whatever is a man's own, is absolutely his own; no man has a right to take it from him without his consent, expressed by himself or his representative. Whoever attempts to do it, attempts an injury; whoever does it, commits a robbery; he throws down and destroys the distinction between liberty and slavery."

His lordship expressed a wish, that, according to a maxim of Machiavel, the constitution were examined, that men's minds were sufficiently cool to enter on the task, and that the representative authority of the kingdom were more equally settled. Some historians (he named Carte, and obviously alluded to Hume) had done great mischief by endeavouring to fix the era when the House of Commons began. It was a most pernicious and idle attempt. "To fix it in Edward's or in Henry's reign," he said, "is owing to the idle dreams of some whimsical, ill-judging antiquaries. When did the House of Commons first begin? It began with the constitution; it grew up with the constitution; there is not a blade of grass growing in the most obscure corner of the kingdom

“ which is not, which was not, represented ever since the constitution began ; there is not a blade of grass which, when taxed, was not taxed by the consent of the proprietor. I challenge any one to point out the time when any tax was laid on any person by parliament who was not represented in it.”

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Having then adverted to the cases of Chester, of the Clergy, of Wales, and of Ireland, and drawn some strong observations from the writings of Locke, he declared he never could give his assent to a bill for taxing the American colonies while they remained unrepresented ; for the distinction of virtual representation was too absurd to deserve an answer, and he should pass it over with contempt. The forefathers of the Americans did not leave their native country, and subject themselves to every danger and distress, to be reduced to a state of slavery ; they did not give up their rights ; they looked for protection, not for chains, from their mother-country ; by her they expected to be defended in the possession of their property, and not to be deprived of it : should the present power continue, nothing would remain which they could call their own ; for, to use the words of Locke, “ What property have they in that which another may, by right, take to himself when he pleases ?”

In answering this speech, Lord Mansfield treated it as a reply on that which he had, without premeditation, uttered a month ago ; and he considered it no small honour to him, that what he had said could not be answered without so much preparation. He compared the speech of the noble lord to “ words congealed in northern air,” uttered in Nova Zembla, but not audible until much time had elapsed, and a thaw had set them free. His lordship’s speech is not recorded ; but it is said to have embraced a review and refutation, sentence by sentence, of every part of that to which it was opposed. The debate was extremely animated ; it rested chiefly on these two learned lords, each of whom spoke three times ; on one of which occasions, Lord Camden declared, that, although his opinion might be that of only a few, he was contented ;

Lord Mans-
field.

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Lord Eg-
mont.

for his were the sentiments of Locke, of Sidney, and of another great man, who, when no longer among us, would be reckoned among the foremost of those patriotic heroes.

Lord Egmont, who is said to have spoken long, learnedly, and ably, made a new, ingenious, and conciliating observation: "it is not to be doubted," he said, "that there exists in every government, however extended, a power supreme, absolute, and unlimited; but this power may, upon some former occasion, have been delegated to other subordinate powers, a part of itself; in which case, time will give to these subordinate powers a right of prescription; nor can the superior recall its gift, excepting only on the utmost emergency*. The bill was committed, and finally passed; nor does any protest against it appear on the journals.

On the re-
pealing act.
11th Mar.

In a sort of tumultuous triumph, more than two hundred members of the House of Commons carried the repealing bill to the bar of the Lords; but in their house it met with a still more determined opposition than it had before encountered. On the second reading, an interesting debate took place, and the majority, on the division, was by no means flattering to the ministry†. A masterly protest was entered on the journals by thirty-three peers. On the third reading there was a similar debate; and a new protest, of equal force, was signed by twenty-eight.

17th.

Such was the termination of this injudicious and most unfortunate measure. When ministers discovered that they could not derive revenue from the stamp act; that the people resisted it, not on account of its pressure alone, but upon principle; when they found it unadvisable to obtain submission by force, and therefore that they must abandon the tax; a

* There is no report of this debate. Lord Camden's speech is in the Parliamentary History, vol. xv. p. 177, derived, as it is said, from the Political Register, vol. i. p. 282. The residue of the narrative is taken from a Letter of Lord Charlemont to Mr. Flood (13th March, 1766), Correspondence, p. 13. The statement of Lord Mansfield's speech is very short, and the noble writer acknowledges and displays a great partiality for Lord Camden; but the letter is highly instructive and interesting.

† Contents 105, non-contents 71.

moderate attention to the dictates of propriety, a decent regard to the dignity of government, would have induced them to dissolve the parliament. The same House of Commons passing an act, and then, upon compulsion, repealing it, became exposed to ridicule. It happened, as might have been foreseen, that those members who had supported the late ministry from principle, joined in strenuous opposition; some who voted for the repeal, attributed their conviction solely to the arguments of Mr. Pitt; it was even asserted that by him ministers were *bullied into* the measure*. The imprudence was consummated by joining the declaratory to the repealing act. If the right was clear, it would not be impaired by the intended concession; and, if doubtful, a most inauspicious moment was selected for asserting it as an undeniable proposition. Imperfectly as the debates are transmitted to us, it is impossible not to perceive how much injury to the country must have resulted from the impassioned speeches of popular orators: they were calculated (certainly not intended) as well to fan the flame of faction here, as to impart a contemptuous opinion of the country to the colonists; when, besides advancing, in the broadest terms, the doctrines, that the legislature had no right to impose the tax, they termed them robbers for having done so, and pointed out resistance as a duty.

Acts were also passed for indemnifying those who had transacted business, and giving validity to writings executed, without stamps; for repealing several duties; for securing the trade of America; and for opening free ports in Jamaica and Dominica.

Act of indemnity.

Petitions presented from the counties affected by the excise on cyder, were referred to a committee of ways and means, on whose report a bill for repealing a portion of that tax, and making less obnoxious provisions for collecting it, was introduced, and passed without much discussion in either house†.

26th Feb.
Cyder act repealed.

March 7th to
April 11th.

* Burke's Works, 4to. vol. i. p. 553.

† This repeal was moved by Mr. Dowdeswell, who was seconded by Mr. Pitt. It appears rather to have been an attempt to gain popularity, than a measure of

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22nd April.
General war-
rants de-
clared illegal.
25th.

29th.

Act for re-
straining the
importation
of silks.
14th May.

Other acts of
the ministry.

The question of general warrants was resumed under the auspices of the ministry, and occasioned several debates and motions. It was at length resolved, after various amendments, that "a general warrant for seizing and apprehending any person or persons, being illegal, except in cases provided for by the act of parliament, is, if executed on a member of the House of Commons, a breach of privilege." A bill to restrain the issuing of warrants for seizing papers, except in cases of treason or felony without benefit of clergy, under certain regulations, went through the House of Commons, but was thrown out by the Lords. An attempt was made to introduce another bill, for preventing the seizure of persons by general warrants, but failed of success. The result of these proceedings was merely this: the House of Commons agreed with the judges on the illegality of apprehending any person by a general warrant, in cases of mere constructive delinquency, and therefore declared that a member of parliament, so illegally apprehended, had a right to complain of a breach of privilege.

An act for restraining the importation of foreign silks occasioned a joyful procession of Spitalfields weavers; and, as a scarcity of corn was apprehended, measures were taken to insure a copious provision, to prevent exportation, and to enforce the laws against monopoly, forestalling, and regrating*.

Beside these parliamentary transactions, the ministry concluded a commercial treaty with Russia; obtained from France a liquidation of those bills

sound judgment. Lord North, at a subsequent period (18th May, 1774), speaking of the opposition to this tax, and the motives for its repeal, used the following expressions: "Let gentlemen on the other side of the house reflect on a tax which was laid, upon the maturest consideration, on a consumption not taxed before, called for by every rule of equality, and so light, though at the same time productive, that scarcely any body could feel it. Every gentleman will see I mean the cyder tax; that tax, against which there never were two syllables of common sense urged, was repealed upon the cry of liberty being in danger; the exciseman will invade our houses, castles if you please, yet a small composition would have kept out the exciseman, so that, to a gentleman of four thousand pounds a year, the payment wou'd have amounted only to forty shillings a year. Unhappily, however, for this country, the cyder counties gave us financiers, and the tax was repealed."

* Debates. Journals.

which, since the cession of Canada, were left in an unsettled state; revised, attempted to put in a train of satisfactory adjustment, the long-deferred Manilla ransom; and made vigorous remonstrances to the court of France for the demolition of Dunkirk harbour, which produced some effect*.

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Before the close of the session, the King announced, by a message, that probably, during the recess, a marriage might be solemnized between the King of Denmark and the Princess Caroline Matilda. He had no doubt that an alliance with so respectable a protestant Prince would be satisfactory to his subjects, and promised himself the concurrence and assistance of the House, in giving to his sister a portion suitable to the honour and dignity of the crown.

June 8th:
King's mes-
sage on the
Princess
Caroline Ma-
tilda.

His Majesty also mentioned, that it had been his intention to recommend a suitable provision for his brothers, the Dukes of York and Gloucester; but in consideration of the advanced period of the year, he would defer it till another session.

The Dukes of
York and
Gloucester.

An address was moved, expressing the readiness of the Commons to comply with the wishes contained in the message; but it was not carried until two motions for amendment had been negatived†.

Address.

In proroguing parliament, the King made a short speech, expressing little beyond an assurance of the pacific state of Europe in general, and thanks for the labours of the session‡.

6th.
Prorogation.

Although many of their acts were important, and apparently calculated to gratify the public, the admi-

Feebleness of
ministry.

* Burke's Works, vol. i. pp. 254, 285.

† 118 to 35, and 109 to 31.

‡ When the budget was introduced, Mr. Nicholson Calvert, with some humour, stated the duties and performances of government, in the form of a mercantile account. It will stand thus, he said:—Ministry debtor—To repeal of cyder tax. Privilege of Parliament to assert. Canada Bills, payment thereof to procure. Manilla ransom, ditto. Family Compact, treaties to meet. Late ministry to impeach. Mr. Pitt never to forsake. These are the engagements which the administration absolutely bound themselves to the performance of. By the assistance of Mr. Pitt, the cyder tax, or at least the objectionable part of it, is repealed; the popularity of which is more than balanced by a most black and impotent attempt to undermine the militia. The privilege of parliament not yet asserted. Canada Bills not yet paid. Manilla ransom, ditto. Family Compact to meet, no steps yet taken. Late ministry very merry, no fear of being impeached. Mr. Pitt not yet minister, but kept where he is by his very sincere friends, for the good of his health.

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nistration was not popular. They were considered by some as officious intruders, who weakened the true Whig interest, by keeping Mr. Pitt out of place*; by others, as mere engines, employed to annul some late unpopular measures, but who dared not pursue an independent system of conduct, and who, in affecting to counteract Lord Bute's plans, did not venture to remove his agents from their posts†.

It was obvious, on the prorogation of parliament, that the ministers would not long retain their station. Even before that period, they appeared to have adopted a system, and mode of conduct, which was not agreeable to the Sovereign. One cause of offence was the delay in applying to parliament for a provision for the King's younger brothers. The ministers had given strong hopes of obtaining it; but afterwards, through inattention or embarrassment, omitted carrying their promises into effect till the committee of supply was closed‡; and they were obliged, therefore, to place before the house the King's message.

Although the Rockingham administration was composed of men who, in themselves and in their connexions in both houses of parliament, united a large portion of ability and character, yet their stability was always doubtful. They did not possess the esteem of the Court, were opposed by a strong party in parliament, and the respect due to them as individuals was diminished by Mr. Pitt's declaration, that they did not possess his confidence, and the notion, which was diligently inculcated, that, by separately accepting official situations, they enfeebled the true Whig interest. Sensible of these disadvantageous circumstances, the Duke of Grafton resigned the seals of secretary of state, which, being refused by Lord Hardwicke, were delivered to the Duke of Richmond: Lord Hardwicke, however, accepted a seat in the cabinet, and thus lent his aid to the administration, although he declined a situation attended with emolument. The

Duke of
Grafton
resigns.

* See Debrett's Debates, vol. iv. p. 358.

† Observations on the late and present Administration, 1765.

‡ From private information.

Duke of Grafton justified his resignation by declaring that the ministry wanted strength to guide the helm with success: he did not object, he said, to their persons or proceedings, but was convinced Mr. Pitt alone could give strength and solidity to government. Under him he would be willing to serve in any capacity, not exclusively as a general officer, but even as a pioneer, and would take up a spade or a mattock. Actuated by the same sentiments, several other persons, of great talent and popularity, refused offices tendered by the ministry; and surely, considering these circumstances, it ill became the Rockingham administration to attribute their loss of power to a cabal, a *double cabinet*, or a closet junto; especially after General Conway's declaration that he neither knew, saw, nor felt a secret influence*.

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The immediate cause of the dismissal of the ministry is attributed to an intrigue of the Lord Chancellor Northington, who had long contemplated their feeble state, and meditated their overthrow.

Intrigue of
the Lord
Chancellor.

Soon after the prorogation of parliament, the affairs of Canada occupied the attention of the council. The proclamation issued in 1764, by which all the laws of Great Britain were introduced into the new acquisitions, occasioned great confusion and discontent. The colonists complained, that their laws of property were overturned, and new ones established, to the principles of which they were strangers, and even unacquainted with the language in which the decisions of the judges were to be pronounced. Lieutenant-General Murray, governor of the province, had framed several *ordonnances* in pursuance of the proclamation; but the board of trade, in their report, considered them injudicious; and some new regulations were evidently necessary. The papers relative to these disputes had, according to custom, in the course of the winter been transmitted from the council office to Messrs. Yorke and De Grey, the attorney and solicitor general, who, from that and other information which they collected,

June.
Affairs of
Canada.

* See Thoughts on the Cause of the Present Discontents. Burke's Works, 4to, vol. i. *passim*, and particularly p. 440.

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prepared a report for the consideration of the cabinet. This report contained a plan for the civil government of Quebec; the principal feature of which was, to leave to the natives their ancient rights of property, or civil laws, and to temper the rigour of their criminal code by the more equitable and liberal system of English jurisprudence. At the first meeting of the cabinet to consider this subject, which took place at the Lord Chancellor's house, he declared an entire disapprobation of the report, objected to some particular regulations, and gave his opinion, that no proposition should be sanctioned by the cabinet until they had procured a complete code of the laws of Canada; a suggestion which would occasion a delay of a whole year: he also complained of some slight instances of inattention which he had experienced. The meeting was dissolved without forming any definitive resolution; and before a new one could be convened, the Lord Chancellor declared his determination to attend no more. The rest of the cabinet, considering the business of sufficient importance to demand immediate attention, held two more meetings, at the Duke of Richmond's house at Whitehall. The attorney-general, who had principally framed the report, and the solicitor-general assisted; Mr. Yorke gave ample information on the principles by which he was guided, and obviated every objection to the final adoption of his plan, by proposing that it should be sent to Quebec for the inspection and consideration of Governor Carleton and the colonial crown-lawyers, with instructions to return it corrected according to their judgment, with a complete code of the laws and *ordonnances* of Canada. At the last of these cabinet councils, every difficulty appeared to be obviated; Lord Egmont, who had recommended the measure of consulting the attorney and solicitor general, went out of town, declaring his willingness to confide his judgment to their decision; and the attorney-general himself, conceiving his presence no longer requisite, retired into the country.

4th July.

At this period, the stability of the ministry was

extremely doubtful; but, as the private intentions of the Chancellor were not known, their immediate dismissal was not expected: but, on the day succeeding the last cabinet council, the Lord Chancellor, at an audience, informed the King that the ministry could not retain their situations, declined attending any more cabinet meetings, and refused, under such circumstances, to hold the great seal*.

Before the active portion of the session commenced, ministers felt their situation to be untenable, without powerful support; and Lord Rockingham, through Sir Jeffery Amherst and Mr. Dunning, made overtures to Lord Shelburne and Colonel Barré, offering the peer an unconditional appointment, and the colonel military rank, and the vice-treasurership; but both answered, that, from the state of the Court, and of affairs in all departments, no durable and respectable system could be formed, unless Mr. Pitt could be prevailed on to direct and lead it. He alone, they thought, and considered the opinion general, could, if it were possible, put an end to the anarchy which prevailed among the great leaders of party. Lord Rockingham expressed himself certain of Mr. Pitt's good wishes, and declared that ministers were most ready to be disposed of as he pleased; but expressed great apprehension and embarrassment as to the manner of making an application. In answer to this, which he could not consider otherwise than as an authenticated communication, Mr. Pitt, while he expressed no surprise that ministers, under the extreme double pressure of affairs all in confusion, and doubtful internal situation, should recur to the distinguished abilities of his Lordship and the Colonel for assistance; but as to himself, all his vanity awakened, as he avowed it to be, by such flattering testimonies, he could not tell him of his ability to effect any material good. "Faction," he said, "shakes and corruption saps the country to its foundations; nor are the means opened in the extent, and with an authenticity, sufficient to engage a close and confidential deliberation among common friends, bent on the same great ob-

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Lord
Northington
resigns.

December.
Overture
made to Mr.
Pitt.

* From private information.

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“ject. To speak plain : until the King is pleased to signify his pleasure to me, that I should again submit, both as to the measures and as to the instruments which are to constitute that system, and that in so ample and full an extent as shall leave nothing, to the eyes of men, equivocal on the outside of it, nor any dark, creeping factions, scattering doubts and sowing discords within. I can never,” he added, “have confidence in a system where the Duke of Newcastle has influence ; that must cease, as well as many other things, before I shall think the ground clear enough to entertain the smallest hope for the public*.”

Jan. 18.

During the progress of the two bills through the houses, the impossibility that ministers should retain their stations became daily more evident. Sensible of the great importance of Mr. Pitt's assistance, the Duke of Grafton wrote to inform him that he and Lord Rockingham were charged to deliver to him a message from the King, which, they hoped, would be preliminary to great good to the country† ; but no effect seems to have been produced. In fact, an arrangement, such as that generally desired, was easy to contemplate, but not to arrange. It was believed that some resignations would take place, if the King declined sending for Mr. Pitt ; while, on the other hand, some members of the administration would on no account act with him. Toward those who wanted merely to retain a subordinate employment, his manners were engaging and encouraging ; but those who desired to have a share in the government of the country must have great need of moderation and self-denial, approaching to abjectness, if they desired to remain with him. On one point, Mr. Pitt made a manly and high-minded declaration. “In one word,” he said, “I shall never set my foot in the closet, but in the hope of rendering the King's personal situation not unhappy, as well as his business not unprosperous ; nor will I

* Letter from Lord Shelburne to Mr. Pitt, 21st Dec. 1765, and the Answer. Chatham Correspondence, vol. ii. pp. 353, 359 ; also vol. iii. pp. 5, 6.

† Same, vol. ii. p. 371. Letter (Feb. 11, 1766) from Gerard Hamilton to Mr. Calcraft. Same, p. 377.

“ owe my coming thither to any court cabal or ministerial connexion. The King’s pleasure and gracious commands alone shall be a call to me. I am deaf to every other thing*.”

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Another attempt to open a negotiation was made by Lord Rockingham, through the medium of Mr. Nuthall, an attorney, who was very much in the confidence of Mr. Pitt. His lordship expressed an ardent desire that Mr. Pitt should fix on some plan for carrying on administration, placing himself at the head; and said, that if such a plan was brought to the King, he would consent to it; but if the ministry were to desire His Majesty to place the management of public affairs in Mr. Pitt’s hands, an interview to take place, and the arrangement to fail, the present ministry would be destroyed, and no system arranged†. This diffidence in the mind of the noble lord was perfectly natural, considering the ill success of former interviews between the King and Mr. Pitt; and the more particularly, if, as was reported and believed, ministers had, a few days before, on recommending to His Majesty to send for Mr. Pitt, received for answer, that when they found themselves incapable of carrying on public business, he would, without their assistance, consider of proper persons to succeed them‡. The attempt seems to have been one, on the part of ministers, who felt unequal to their situations, to stipulate for such a retreat as would still leave in their hands a large share of power, and give them the credit of having established an efficient and popular administration.

Feb. 26.

Against these hopes, the dignity and good sense of the Sovereign and the lofty soul of the great commoner militated with equal force. Mr. Pitt answered that he should be proud and happy to confer openly and unreservedly on the formation of a ministry, if respect and duty to the King did not forbid his doing so without His Majesty’s express commands.

This state of affairs continued until the resolution to dismiss the ministry was adopted; and then the

* Chatham Correspondence, vol. iii. p. 12.

† Same, vol. ii. p. 397.

‡ Same, p. 380.

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July 7.
The King
writes to
Mr. Pitt.

King, in most gracious terms, wrote to Mr. Pitt, expressing approbation of his very dutiful and handsome conduct on some occasion which is not clearly indicated; desiring to learn his thoughts how an able and dignified ministry might be formed, and declaring his entire accordance in opinions which Mr. Pitt had expressed in parliament, concerning the basis on which a new administration should be erected.

8th.
Mr. Pitt's
answer.

This letter was conveyed to Mr. Pitt, in the country, through the medium of Lord Northington, of whom the King was pleased to say, that there was no man in his service on whom he so thoroughly relied; and the answer expressed, in strong terms and in courtly language, the feelings it created. "Penetrated with the deepest sense," the writer said, "of your Majesty's boundless goodness to me, and with a heart overflowing with duty, and zeal for the honour and the happiness of the most gracious and benign sovereign, I shall hasten to London as fast as I possibly can; wishing that I could change infirmity into wings of expedition, the sooner to be permitted the high honour to lay at your Majesty's feet the poor but sincere offering of my little services."

14th.
Difference
between
Lord Temple
and Mr. Pitt.

The negotiation, so favourably begun, promised a happy and speedy termination; but an unexpected difficulty arose. Lord Temple was early apprized of the proceedings, and his presence was required to assist in forming the arrangements. No expressions but those of warm cordiality and mutual affection appear in the correspondence. His lordship, immediately on his arrival in town, had an audience of the King, where it was decided that he should on the next day confer with Mr. Pitt. What passed at this interview made a strong impression on His Majesty, who thought it "both of utility and not void of amazement for Mr. Pitt to know the substance of what passed. I opened to him," the King proceeds, "a desire of seeing him in the treasury, and, in conjunction with you, chalk-ing out such an administration as can be formed, considering the unhappy divisions that subsist between men, yet taking the present administration for the basis to build on, with such alterations as might

15th.

“ appear necessary. I am sorry to see, though we only kept in generals, that he seems to incline to quarters very heterogeneous to my and your ideas, and almost a total exclusion to the present men,—which was not your plan ; but, as we did not come to particulars, I hope I am not quite founded in my apprehensions. I concluded with saying, I should only agree to such a plan as you could, with pleasure, be a part of ; but not to one in which you had not a principal share.”

The eyes of the court were naturally turned to Mr. Pitt, whose popularity continued undiminished, and who had recently acquired a large estate from the bequest of Sir William Pynsent.

Before this period, Mr. Pitt, assisted by General Conway, who was to retain his situation as secretary of state, had formed the plan of an administration. The proposed meeting of Lord Temple and Mr. Pitt took place ; the discussion was long, and of a nature to affect Mr. Pitt's health*. The particulars are not exactly known. Mr. Pitt is stated to have said, that, considering his lordship indispensable, he had requested the King to appoint him first lord of the treasury, and at the same time produced a list of persons who were to take places under them, which, he added, was not to be altered. Lord Temple, hurt at this peremptory declaration, complained of ungenerous treatment, and intimated that he could not accept a situation of high responsibility, unless he had, at least, an equal share of power with Mr. Pitt. During the conference, Lord Temple exerted every effort to effect an accommodation : he conceded that his brother, Mr. Grenville, should support the ministry without either place or influence : he nominated Earl Gower and Lord Lyttelton to official situations ; but they being positively rejected, he said this conduct shewed Mr. Pitt's determination to be sole and absolute dictator, to which he would not submit, and closed the conference with some severe observations on Mr. Pitt's want of liberality and kindness†.

17th.
Mr. Pitt
quarrels with
Lord Temple.

* Chatham Correspondence, p. 436 to 459.

† Lloyd's Inquiry into the Conduct of a late Right Honourable Commoner ; from which the account of this transaction is copied into the Life of Lord Chatham. The account is not, however, to be in all particulars implicitly relied on.

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Thus was dissolved, in anger, that connexion between the two brothers which had subsisted so many years; which was fortified by a participation of official honours and public acclamations; which was considered too firm for chance, and rather to be strengthened than enfeebled by time*.

Divested of so respectable a coadjutor, Mr. Pitt proceeded in the formation of a ministry, though aware of being embarrassed by difficulties hitherto unforeseen. But the greatest difficulty arose from his own ardent and decisive temper, aggravated, probably, by sufferings arising from ill-health. The consciousness of his great talents, which had so long secured to him an unlimited ascendancy in the councils of the nation, rendered him bold in his undertakings, and confident in his powers; but he was at the same time lofty, inflexible, and ungracious. A kindness, offered by him, was scarcely less mortifying than a refusal from persons endowed with greater suavity of demeanor. The bad effects of this failing had been counteracted by the more affable manners of Lord Temple; but Mr. Pitt now found that it subjected him to many mortifications in selecting a cabinet; he had no resource in his own mind, and no mode of conciliating the esteem or satisfying the expectations of his coadjutors, but by the distribution of pensions.

Mr. Pitt's
ministry.

The arrangements were at length made; the Duke of Grafton, not destined to carry a mattock, but to appear as a general officer, was placed at the head of the treasury. Charles Townshend was constituted chancellor of the exchequer, and intrusted with the management of the House of Commons. Lord Shelburne was appointed secretary of state for the southern department. Lord Camden, Mr. Pitt's chosen friend,

* Their cordial intimacy was mentioned in a publication at the beginning of the year, in these terms: "As to Lord T. and Mr. P. they have, ever since their dismission, lived in such a state of the warmest friendship for, and entire confidence in, each other, as does honour to the greatness of their minds, and that true love of their country, which is the only ruling principle of both their actions. And, for the comfort and satisfaction of the public, I will add, that the cordiality which subsists between them is sincere and unalterable, notwithstanding the many sinister and infamous attempts to divide them, contrived by the favourite and the present ministers."

and constant adherent, was raised to the high office of lord chancellor. The Earl of Northington, thus retiring from the great seal, succeeded the Earl of Winchelsea as president of the council. The Marquis of Granby was placed at the head of the army. Mr. Pitt, though in fact the leader of the administration, took only the office of lord privy seal: he was created a peer by the title of Earl of Chatham*.

On the conclusion of these arrangements, the Rockingham administration were dismissed; they retired from their offices at the express command, as they had accepted them at the earnest request, of their royal master†. Their expulsion had long been anticipated; but they were not publicly accused of any fault or error in conduct, and they had the mortification of seeing many of their subalterns, and those whom they had brought into place, follow the standard of their successors; the example being set by General Conway.

The Marquis of Rockingham's retreat produced some exhibitions of regret, and a few attempts to render his exit illustrious; but they were merely personal and local, being confined to those classes of society who were principally benefited by his administration, and to those districts where his influence particularly prevailed.

Lord Chatham was assailed with all the virulence of party malice. He, who was lately accused of bullying the Marquis of Rockingham, was now charged with crouching to Lord Bute; he who had resigned an official situation, because he would not be respon-

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30th.
He is made
a peer.

Rockingham
administra-
tion dis-
missed.

Compliments
paid to the
Marquis of
Rockingham.

Efforts to
render Lord
Chatham
unpopular.

* Lord Northington, as a compensation for the difference between the presidency of the council and the more honourable and lucrative post of Chancellor, received a pension of £2,000, in addition to the salary annexed to his new situation; a pension of £4,000 for life, from the period of his dismission from the presidency; and a reversionary gift of the office of clerk of the hanaper in Chancery for two lives after the death of the Duke of Chandos. Lord Camden, as an indemnity for the loss he might sustain by sacrificing an establishment for life as chief justice of the Common Pleas, to one of more precarious tenure, obtained a reversion of the first tellership of the exchequer which should become vacant, for his son, and a grant of £1,500 a year on the Irish establishment, to commence from the period when his son became teller of the exchequer. Mr. De Grey was made attorney-general, and Mr. Willes solicitor-general. Many particulars attending these arrangements are disclosed in the Chatham Correspondence, vol. ii. p. 439, to the end.

† Burke's Works, vol. i. p. 255.

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sible for measures which he could not guide, was now supposed the willing agent of men whom he did not approve. Though he had recently declared in parliament, that he could not submit to be minister where he felt an over-ruling influence, and that his objection to Lord Bute was personal, and not national, he was now decried as the dupe of Lord Bute, and contemptuously reproached with being caught in a Scotch trap. The city of London, where he had so lately been idolized, repeatedly declined presenting an address on his appointment*. Every engine of calumny was employed to render his conduct odious; his peerage was a never-failing source of invective; his quarrel with Lord Temple was unsparingly discussed; and a pamphlet of considerable size was formed by the republication of paragraphs which appeared against him in the newspapers, on this single occasion†.

* Lloyd's Inquiry into the Conduct of a late Right Honourable Commoner.

† Lord Chesterfield's Letter to his Son (14th August, 1766); Works, vol. ii. p. 504. 4to.

CHAPTER THE TENTH.

Retrospective view of the affairs of India.—Origin of territorial acquisition by the Europeans.—Hostilities between the French and English.—Arrangements at the peace.—Disputes of the native princes.—Destruction of Delhi.—Independence of the nabobs established.—Affairs of the Carnatic and of Bengal.—Intrigues of Jaffier Ally.—Siege of Patna by the Shah Zaddah.—Treachery of the young nabob, Jaffier's son.—His misconduct, and sudden death.—Position of Mir Jaffier's affairs.—The Shah Zaddah declared Great Mogul.—Interview of the British council with Cossim Ally, Jaffier's son-in-law, at Calcutta.—Expedition to Moorshe-dabad.—Revolution in Bengal.—Jaffier deposed.—Cossim proclaimed nabob.

THE events of the last war, the convulsed state of India, and some recent transactions, produced a material change in the nature and objects of the East India Company: a commercial society was raised into a territorial power, and instead of depending on the native princes for protection, or permission to exercise commerce, became regulators of their politics, and arbiters of their destiny.

Such a change, which gave unbounded wealth to numerous individuals, and so large a share of importance to a chartered commercial association, could not fail of exciting the attention of the public; and the affairs of the East India Company, from an early period of the present reign, formed a leading subject in the contemplations of statesmen, and in the speculations of politicians.

The acquisition of territorial power in India by the European traders was of recent date, and originated with the French. Dupleix, the governor of their

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X.

Retrospec-
tive view of
the affairs of
India.

Origin of
territorial
acquisition.

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forces in India, about the year 1748, was anxious to secure to the country the commercial and political advantages arising from the possession of a landed settlement. He commanded a larger number of troops than was usually employed by Europeans in India; and, having ascertained the dispositions and interests of the native sovereigns, commenced the execution of his magnificent project. The subahship of the Deccan and the nabobship of the Carnatic both becoming vacant, he eagerly embraced the opportunity of raising to those situations, two princes, from whose gratitude, dependence, or feebleness, he formed great expectations. By his exertions, Salabat Jing was made a subahdar of the Deccan, and Chunda Saib, nabob of the Carnatic.

Distractions
of the Mo-
gul empire.

Since the death of the great Emperor Aurengzebe*, the Mogul empire had been torn by domestic distractions, and desolated by ferocious invasions; and the circumstances in which it was placed at this period were peculiarly favourable to the designs of Dupleix. The people of Delhi were not recovered from the dreadful devastations of Nadir Shah, the Persian†, when new irruptions succeeded, and the authority of the descendants of Timur was reduced to the lowest ebb, by the assumed independence of the governors of provinces, who refused to yield tribute, or own subjection, to the monarch from whom their power was originally derived. These claims of independence began in the reign of Mahomed Shah‡. The weakness of his successor Ahmed Shah, combined with the embarrassments to which he was subjected from the formidable attacks of Achmet Abdalla, a fortunate and valiant rebel, afforded the different subahdars and nabobs the means of consolidating their power, and rendering themselves superior to control§.

In the early years of Ahmed's reign, Dupleix first exerted himself in obtaining territorial possessions, and, for that purpose, disposed of two governments to

* In 1707.

† 1738

‡ He died in 1747.

§ Dow's History of Hindostan, vol. ii. Appendix.

princes whom he employed as engines to forward the schemes which flattered his ardent imagination.

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His views were fully answered by the cession of Pondicherry, Masulipatam, and various provinces and islands, which made the French East India Company masters of the coast for the space of six hundred miles, and put them in possession of a tract of country more extensive than all the dominions which their King possessed in Europe. These acquisitions increasing the ambition and cupidity of the French, they meditated a monopoly of Indian commerce, and formed projects for the expulsion of the other European colonists*.

Ambition of
the French.

The assumption of such advantages by a power so restless and intriguing, could not be regarded with indifference by other European nations, who were equally interested in maintaining a share of influence in India, and who saw with alarm the progress of a scheme which tended to make the whole Mogul empire a dependency of France.

Hostilities were soon commenced between the French and British forces; but, the two countries being then at peace, they did not engage as principals, but as auxiliaries to the different potentates of India†, whose quarrels they affected to espouse, for the sake of concealing their own views. In opposition to Chunda Saib, whom Dupleix had nominated nabob of the Carnatic, Saunders, the English governor, set up Mahomed Ally; and, in the names of those two native princes, the European rivals sought to distress and subdue each other‡.

Hostilities
between
them and
the English.

This war was carried on with great vigour, and with various success, for six years; when efforts were made by the cabinets of London and Versailles to terminate hostilities, which, it was supposed, could not be much longer confined to the continent of Asia. The basis of the proposed accommodation was a pro-

Arrange-
ments at-
tempted.

* Raynal's History of the East and West Indies, vol. ii. b. 4; Lord Clive's Letter to the Proprietors of India Stock, p. 4; Sir John Malcolm's Life of Lord Clive, vol. ii. p. 206.

† History and Management of the East India Company, p. 110.

‡ In 1750. See Lord Clive's Letters to the Proprietors of India Stock, p. 5.

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X.Events of
the war.Arrange-
ments at the
peace.

ject for establishing a perfect equality of territory, strength and trade, on the coast of Coromandel and Orixa. The terms were arranged between General Saunders and M. Godeheu, but had not yet received a final sanction in England and France, when war was declared between those countries in consequence of disputes relative to America*.

Dupleix was now removed, and replaced by the unfortunate Lally; the flames of war again raged in India; and the English, after sustaining many reverses, finally succeeded in reducing every place possessed by the enemy, whose power, after the capture and destruction of Pondicherry, seemed to be irretrievably lost.

Such was the situation of Great Britain and France, with respect to their Indian territories, when the treaty for peace was commenced in 1762. The importance of the acquisitions made by the English East India Company was fully appreciated by the minister, and he was properly tenacious of their interests. At an early period of the negotiation, he applied to the court of directors for instructions in settling the affairs of India†. Before the court gave the required determination, the preliminaries were signed; but an article relative to the Carnatic appearing to Lord Bute subversive of the benefits to be expected from the success of the British arms, he immediately declared it inadmissible. "Worn out," he said, "as we are, and loaded with debt, we must, however, continue the war, if that article is not altered." This resolute remonstrance had the desired effect; the treaty was revised, and rendered agreeable to the East India Company‡. Lord Clive, during the progress of the negotiation, had written a memorial to Lord Bute, who re-

* Raynal's History of the East and West Indies, vol. ii. b. 4.

† Smollett's Complete History of England, vol. xvi. p. 209.

‡ From private information. A different account of this transaction is given by Dr. Birch, in a letter to Lord Royston. He says that the Duke of Bedford was dissatisfied with his instructions from the Secretary of State, and pressed for better conditions with much vigour, threatening that, if the article was not modelled according to his desire, he would return to London, advise the King to replace Mr. Pitt in his service, and continue the war. His arguments prevailed, and the article was altered according to his desire. 14th May, 1763. MSS. British Museum, 4824, fo. 139. The account above seems the more probable of the two.

ceived it with due acknowledgments, and expressed, in consequence, his strong opinion to the Duke of Bedford. The advice of Lord Clive was followed in what related to the limitation of the French power; but, with respect to the authority of two native princes, it was departed from so widely, that Lord Clive animadverted on this part of the treaty with disapprobation. He admitted that it was calculated to secure to the Company the benefits they had a right to expect from their general's success, and that, upon the whole, it was highly advantageous; but he exposed some geographical and topographical errors, and condemned the manner in which Salabat Jing and Mahomed Ally were acknowledged, as pregnant with future hostilities. In consequence, he was among the minority who voted disapprobation of the treaty*.

The enfeebled state of the French did not authorize the Company to dread a speedy accomplishment of his Lordship's prediction; but, as the distractions and crimes which pervaded all parts of India engendered frequent extraordinary and sudden revolutions, the British subjects could not, consistently with their own safety and well-being, desist from taking part in those quarrels, which, in their origin and conduct, threatened the British power with utter ruin. Being once engaged, their activity and valour gave them great influence and high consideration; their aid was courted by all parties; and, the overthrow of the French leaving them without an adequate counterpoise, they became irresistible in several provinces in India. To explain this ascendancy, a brief retrospect will be necessary.

The supreme authority of the Mogul throne was completely destroyed. Allumguire, the successor of Ahmed Shah, owed his accession to the treachery of his vizier Ghazi ul Dien; and he soon found that, in receiving so high a promotion from the hand of a traitor, he made himself a tool to promote views of ambition in which his own interest was not consulted. The

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Observations
of Lord Clive.

Disputes of
the native
princes.

Influence of
the English.

Subversion
of the Mogul
power.

* Lord Clive's Letter, &c. p. 9. Malcolm's Life of Lord Clive, vol. ii. p. 206.

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Destruction
of Delhi.

insolence, cruelty, and rapacity of Ghazi were excessive, and his authority so formidable, that Allumguire was compelled to conspire secretly against him*. This measure was not attended with success; and Allumguire was, for some time detained a prisoner, together with his son Ally Gohar, who was also known by the title of Shah Zaddah†. The young Prince at length escaped, and signalized himself by some exploits in Bengal, which will be related hereafter; but, in 1760, his father was basely and cruelly assassinated by the vizier Ghazi, who placed on the throne a prince of the blood, named Shah Jehan.

This treachery occasioned the ruin of Delhi. Achmet Abdalla, taking advantage of the feeble state of the empire, was joined by Nidjib ul Dowlah, an officer of the late Mogul, who was highly incensed at Ghazi's treachery; they invaded the city, plundered the inhabitants, and, after a massacre, which lasted seven days without intermission, set it on fire in several places‡. The misery of the Delhians was completed by an irruption of the Mahrattas, who, even in the leavings of the barbarous Abdalla, found some spoils. They not only plundered these unfortunate wretches of their remaining property, but, after stripping them naked, whipped them through the streets, and left them victims to the miseries of famine and desolation, producing scenes not to be contemplated without horror and disgust. Thus the imperial city of Delhi, which in the days of its glory was said to contain two millions of people, became almost a heap of rubbish, and thus the last remains of the Mogul power were extinguished§.

The independence of the nabobs established.

After the depression of the supreme authority in Hindostan, the claims of the country potentates, and even of the European settlers, became more generally acknowledged, and their ascendancy more firmly es-

* In 1757.

† Shah Zaddah signifies the king's son, and Ally Gohar was distinguished by that title during his father's life. See Dow's History of Hindostan, vol. ii. p. 76. Appendix.

‡ In 1761.

§ Dow's History of Hindostan, vol. ii. Appendix.

tablished. The anxiety and jealousies attendant on a recent acquisition of sovereignty, and the want of stability which accompanies a contested claim, laid the foundations of future animosities, as well between the native princes and pretenders, as between them and the English Company.

Mahomed Ally, nabob of the Carnatic, grateful for their support, was at all times a steady and affectionate adherent of the English. During the war, his liberality was displayed in ample donations, in military aid, exceeding the scope of reasonable expectation, and often rendered additionally welcome and honourable by being unsolicited. The friendship of this prince was ever productive of the highest benefits to the Company*.

Affairs of the
Carnatic.

In Bengal, the British power was not only endangered, but brought to the very brink of ruin. For some time after the deposition and death of Surajah Dowlah†, his successor, Mir Jaffier Ally, continued to exhibit friendly sentiments toward the English, to whom he was conscious that he chiefly owed his elevation; but, at length, the derangement of his finances, and the intrigues of his servants, acting upon a jealous and tyrannical disposition, produced a series of complicated altercations, which terminated in an inveterate aversion‡.

Of Bengal.

Mir Jaffier was feeble, treacherous, and cruel; his necessities compelled him to have recourse to oppressive measures, which alienated the hearts of his subjects; and his son Miran, a weak and voluptuous youth, having formed projects for shaking off all connexion with the English, irritated his father by representations that he was in a state of dependence, and his government merely nominal.

Intrigues of
Mir Jaffier.

In consequence of these remonstrances, the English were in danger of being the victims of some grand effort of force or treachery, when the Shah Zaddah

* History and Management of the East India Company, p. 132. State of Facts relative to Tanjore, p. 19.

† See Smollett's History, vol. iv. p. 120.

‡ Transactions in India, p. 37.

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invaded Bengal, and laid siege to Patna. Mir Jaffier's cruelty and injustice, together with other motives of selfishness and interest, which have considerable influence among the Asiatic potentates, induced many of his subjects and dependents to join the Shah Zaddah, who would probably have surmounted all resistance, had not Colonel Clive, by a masterly and rapid march, arrived unexpectedly before Patna, and compelled the Prince precipitately to raise the siege.

Offers of the
Shah Zaddah.

Jan. 1760.
Clive returns
to England.

Despairing of success while the English were numbered among his foes, the Shah Zaddah, more than once, wrote to Clive, offering any terms for the Company, and for himself, if he would quit Mir Jaffier and join him. The Colonel, urged by every motive of policy and honour, refused these offers, and returned to England, where he was rewarded by being created a peer of Ireland.

Siege of
Patna.

The command of the army now devolved on Colonel Caillaud, and the presidency of the council on Mr. Holwell, till a new president should arrive. The Shah Zaddah, at the head of thirty thousand men renewed his attempt on Patna, and the hatred in which Mir Jaffier was held, together with the absence of the English forces, gave him reasonable prospects of success; when the Rajah Ramnarain marched out from Patna at the head of forty thousand men, to keep him in check. Colonel Caillaud and Mir Jaffier had forwarded instructions to avoid an engagement until the European troops, and the intended reinforcements under the nabob's son, could advance to his aid; but Ramnarain, eager to distinguish himself, and relying on his superiority of numbers, resolved to hazard a battle, by which he hoped to signalize his own valour, and diminish the importance of the English auxiliaries. Independently of the instructions he had received, common prudence suggested the impropriety of this measure; for the Rajah was acquainted with the treacherous disposition of many of his associates, and knew that from their hatred of Mir Jaffier nothing could be more probable than their inactivity at least, if not their defection.

The event was conformable to these expectations: Ramnarain fought valiantly, was severely wounded, and defeated. His ill success was, in a great degree, attributed to three of the principal subordinate rajahs, who, by signal acts of perfidy, turned the fortune of the day. Ramnarain, too desirous of distinguishing himself, posted the few English troops who formed a part of his army at a great distance from his person. One of the treacherous rajahs, attacking these troops, diverted their attention from the enemy: another fell on Ramnarain's rear; and a third quitted the field in the heat of the action. The greater part of his army having dispersed, and finding himself in danger of being taken prisoner, Ramnarain called in the assistance of the English, who sent some sepoys to his relief, and brought him in safety off the field, they making an orderly retreat; for such was the terror excited by their prowess, that they were suffered to march off without interruption.

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Encouraged by success, the Prince again laid siege to Patna; but Ramnarain, whose wounds did not hinder him from exertion, strove to repair by prudence the effects of his late misconduct. To the ordinary means of defence he added a share of Gentoo duplicity; and by giving the besiegers hopes of a surrender, and some other finesses, amused them, till Colonel Caillaud and the young nabob were arrived within a short distance of the city.

The Shah Zaddah, sensible of his error in suffering this delay, marched against the young nabob, and offered battle. Miran, who on many occasions shewed a fixed resolution to impede the measures proposed by the council, delayed the engagement for two days. It terminated advantageously to the nabob; although in the onset, and throughout the day, he displayed so little skill, and a disposition so intractable, that the valour and conduct of the English alone preserved him from falling a sacrifice to his own temerity and want of judgment.

Treachery of
the young
nabob.

22nd Feb.

At the conclusion of the battle, Miran, who was slightly wounded, obstinately rejected Colonel Cail-

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29th Feb.

The Shah
Zaddah
marches to
Moorshed-
abad.

laud's proposition to detach a force in pursuit of the defeated enemy, and retired to Patna, where he continued immersed in sensuality, and deaf to advice*. His more prudent opponent collected his scattered forces at Bahar, and carried his arms into the heart of Bengal. Miran, after a week of indolent voluptuousness, commenced his march, and was surprised with the information that his adversary had preceded him by two days.

The Shah Zaddah, directing his course by an unfrequented pass, experienced many delays. The English troops, and those of the nabob, closely followed him, and sent, by a more easy route, expresses to Mir Jaffier, at Moorshedabad, who, when apprized of his danger, collected an army for the defence of his capital, and, being joined by two hundred Europeans from Calcutta, took the field.

4th April.

In the latter end of March, the Shah Zaddah advanced within thirty miles of Moorshedabad; but here his good fortune terminated. The courage, promptitude, and wisdom, which dictated his inroad, seemed suddenly to desert him, and he wanted vigour to take advantage of his favourable position. Mir Jaffier, unaided by his son and the great body of English troops, marched out of Moorshedabad; and, had he been successfully attacked before the expected junction, the capital of Bengal was lost; but the Shah Zaddah wasted his time in unavailing consultations, till Mir Jaffier and his son united their forces near Burdwan.

6th April.
Returns to
Patna.

Dispositions were immediately made for attacking the Prince, and Colonel Caillaud again experienced the mortification of seeing his advice disregarded by Miran. He proposed, if they would give him a body of cavalry, and some spare horses to assist in carrying the Europeans, who were exhausted with fatigue, to attack the Prince in his camp that night. This and other pressing solicitations being uniformly rejected, the Prince gained time to concert new measures; and, finding himself disappointed in his hopes of taking the

* See Colonel Caillaud's evidence before the Committee of the House of Commons. Reports of Committees to the House of Commons, vol. iii. p. 158.

capital, suddenly decamped. Judging, from this rapid and unexpected movement, that he meditated a new attack on Patna, Colonel Caillaud dispatched Captain Knox, with a force which was deemed sufficient, to the relief of the city. In thirteen days Captain Knox completed his march, although the distance was three hundred miles, and he was twice under the necessity of crossing the Ganges; yet the Shah Zaddah, having advanced three days before him, had already reached the place of his destination, made two general attacks, and was preparing for a third. The garrison being feeble, great expectations were formed from this last assault; but the opportune arrival of the British troops inspired the besieged with confidence, while it struck terror into the besiegers; they were easily repelled; and thus, for a third time, Patna was saved in the most critical emergency. The next day, Captain Knox, at the head of his whole detachment, attacked the Prince, drove him from his works, and compelled him to retreat, in extreme want, to the banks of the Soane, fifty miles west of Patna.

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His defeat.

No sooner had the valour and prudence of the Company's servants rescued the province from this formidable and persevering enemy, than another discovered himself in the person of Cuddeim Houssein, Rajah of Purneah, who, having retained for three years the revenues of his province from Mir Jaffier, assembled a large army, intending to join the Shah Zaddah; but the young nabob and Colonel Caillaud defeated and put him to flight.

War with the
Rajah of
Purneah.

25th May.

In this action, Miran behaved with his accustomed negligence and obstinacy. He halted nearly a mile in the rear of the British forces; left them, unsupported, to sustain an unequal conflict; and, after the fight, refused to risk his troops in a pursuit; by which means Cuddeim escaped with all his treasures. When the army was refreshed, Colonel Caillaud, having persuaded Miran to assist, commenced a pursuit; they followed the route of the enemy five days with favourable prospects of ultimate success, when the sudden death of the young nabob, who was struck by a flash

Negligence
of Miran.

2nd July.
His sudden
death.

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of lightning, terminated the expedition. The fire pierced through the top of his tent, and, as he slept, killed him, and one or two attendants. Colonel Caillaud, apprized of this event, secured the adherence of the army, who would otherwise, according to their usual custom on the death of a chief, have plundered the camp and dispersed; but, fearful of probable disasters, he hastily measured back his steps to Patna, and distributed the troops into winter-quarters.

Colonel Caillaud goes to Calcutta.

A short time after this transaction, Mr. Vansittart arriving at Calcutta as president, Colonel Caillaud was summoned from the army to report to the council the state of Mir Jaffier's affairs. Before he obeyed this order, he waited on the nabob, for the purpose of consulting with him on the untoward appearance of circumstances, and recommending such measures as would enable him to take the field at an early period with advantage. Mir Jaffier promised to use every requisite exertion, and the colonel proceeded to Fort William.

Position of Mir Jaffier's affairs.

Although the nabob's promises were calculated to satisfy Colonel Caillaud, it was equally remote from his power and his intention to give them effect. His tyranny, increasing with his years, became insupportable; while his feebleness encouraged his tributary rajahs to retain his revenues; and, if pressed to account for them, they vindicated their contumacy by rebellion. The little money which came to Moorshe-dabad was squandered in licentious luxury; and the troops, deprived of their pay, broke out into frequent mutinies, which threatened the nabob's authority, and even his life. His ministers rivalled their master in rapacity and cruelty; famine besieged the poor, and aggravated to despair the sense of their other calamities. The English, who had employed their treasures in supporting Mir Jaffier, and in fighting his battles, were not only unrewarded, but hated; the jealousy of the nabob extended to all their transactions; and while they were strenuously occupied in promoting his interest, he placed no confidence in their councils, and withheld his support from their military exertions.

Under these circumstances, the council held a conference with Cossim Ally, the nabob's son-in-law, a prince whose talents were acknowledged, and afterward fatally experienced. The propriety of a new revolution had already been discussed; but the project appeared so dangerous, and the choice of a successor to Mir Jaffier presented so many difficulties, that the scheme was not sanctioned.

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Before this period, Allumguire was assassinated; and, by the exertions of the invader Abdalla, the Shah Zaddah was proclaimed King of Hindostan by the name of Shah Allum. In his favour a revolution might with propriety have been effected; but prudence forbade the attempt. Shah Allum's enemies were numerous and inveterate; and without the cordial co-operation of Abdalla, which was very precarious, the English would only have increased their enemies, without deriving essential benefit from a measure, which, if it could have been undertaken, would have been just and expedient*.

May.
Shah Allum
Great Mogul.

Although a total revolution was not in the contemplation of the Company's servants, when they sent for Mir Cossim, they undoubtedly meditated such a change in the administration of affairs as should no longer leave them exposed to the versatility and weakness of Jaffier. This alteration was rendered more urgent by their own critical position; for, although the war against Shah Allum and his adherents was generally successful, the Company's affairs bore an alarming aspect. Their money and effects were considerably exhausted; and Jaffier, far from aiding, impeded all their efforts to obtain supplies, and secretly intrigued with their enemies.

State of the
English.

Before the arrival of Mr. Vansittart, Cossim had often, in letters to Mr. Holwell, professed the strongest attachment to the Company, and promised abundant compensations, if, by their exertions, he should be promoted to the succession of the Dewannee, and

Interview
with Mir
Cossim.

* Colonel Caillaud's Letter to Mr. Holwell, 29th May, 1760, published in Holwell's Address to the Proprietors of East India Stock, 1764. and in the Reports of the House of Commons, vol. iii. p. 159.

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other posts enjoyed by his late brother-in-law. In an interview, at Calcutta, with Mr. Holwell, who was commissioned by the council to receive his proposals, he discovered unexpected views of ambition, urged the repeated treacheries of the subah and Miran to their English benefactors, and expatiated on their cruelties and murders, and the universal abhorrence in which they were held by the people; he dwelt much on Jaffier's personal ingratitude to himself, which had been twice displayed in attempts on his life; exclaimed against the secret negotiation which he carried on with the Shah Zaddah and the Dutch; disclosed private orders, by which he himself, when sent against the Dutch, was directed to favour them, in contradiction to the public instructions imparted to Mr. Holwell; and concluded, by declaring the subah incapable of government, as no faith or trust could be reposed in him; and if he was not removed, it would never be in his own power to render the Company those services which he ardently desired.

Mr. Holwell expressing astonishment and abhorrence at this proposal, and insisting on an immediate termination of the conference, unless Cossim totally relinquished his ambitious views, a long altercation ensued, from which at length the following terms resulted:

1. Cossim to be invested with the Dewannee, to be declared Chuta Nabob, and successor in the subahship to Jaffier, and to enjoy all the posts possessed by the late young nabob.

2. All acts of government to be under the seal and in the name of Jaffier; but the executive power to rest in Cossim; the dignity of the subah to remain inviolable in the person of the former, with an allowance of one lack of rupees monthly, for the support of his household and other expenses.

3. Cossim to pay the balance of the Tunkas, as lately adjusted with Omid Roy, on the part of Jaffier.

4. The Company to maintain a standing force of eight thousand sepoys, two thousand European foot,

two thousand country, and five hundred European cavalry, for defence of the government and provinces.

5. For their maintenance, the countries of Burdoo-maan, Midnapour, Chittigong, and half the annual produce of the Chinam at Silhet, to be ceded to the Company in perpetuity.

Mr. Holwell was also desirous of introducing another clause, importing that Shah Allum should be acknowledged sovereign of Hindostan; this was neither accepted nor rejected, but left to be adjusted according to the train of future events; and the articles were interchangeably executed by the council and Cossim.

To give effect to this arrangement, Major Yorke was dispatched to Moorshedabad, with a detachment of two hundred Europeans, four pieces of artillery, and five or six hundred sepoys, under pretence of reinforcing the garrison at Patna. Mr. Vansittart and Colonel Caillaud also went to Cossimbaza, near Moorshedabad, for the purpose of aiding, by their presence, the intended change of government. Mr. Vansittart, in two conferences with Jaffier at Moradbaag, remonstrated against the improper measures so long pursued; and, at the last interview, having reduced his advice to writing, delivered it for perusal. Jaffier listened with attention, and promised to consult his friends, for the purpose of ascertaining the proper means of repairing his errors; confessing, at the same time, that through age and grief for the recent loss of his son, he was incapable of struggling alone against so many difficulties. Mr. Vansittart observed, that those he usually consulted were rather his enemies than his friends, and advised him to take the assistance of one of his relations, on whose attachment and fidelity he could safely rely, and named five or six, among whom was Cossim Ally; but, although Jaffier allowed him to be the most proper person to assume the government, yet, through jealousy and dislike, he was with difficulty induced to send for him, but could not be prevailed on to make him the depositary of his authority.

Expedition
to Moor-
shedabad.

Mr. Vansit-
tart's inter-
view with
Mir Jaffier.
18th.

When Cossim arrived at Moradbaag, Jaffier was

Arrival of
Cossim.

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Revolution
in Bengal.

already departed, excusing himself, on account of feebleness and fatigue, from continuing a conference already much protracted. Cossim declared his apprehensions that, instead of intrusting him with the management of his affairs, his father-in-law would contrive means privately to destroy him; and Mr. Vansittart, already convinced that, without compulsion, Jaffier would not adopt the proposed arrangement, coincided in opinion with Cossim, that he should not return to the nabob's house till measures were taken for his security.

Mr. Vansittart, having left with Jaffier the letters containing the substance of his advice, was inclined to allow him the whole of the next day to consider their contents; but, being informed that this deluded man had consulted with his old advisers, whose sentiments could not be favourable to the interests of the Company, he made instant arrangements for compelling him to adopt the mode of conduct which he had required.

The nineteenth of October was a season peculiarly favourable to his design; it was the termination of a grand Gentoo festival, at which all the chief personages of the country assisted; and their weariness would prevent vigilance and obviate opposition.

In pursuance of Mr. Vansittart's orders, Colonel Caillaud crossed the river, with his detachment, between three and four o'clock in the morning, and, in conjunction with the troops of Cossim, surrounded the nabob's palace. They seized Jaffier's three principal ministers, all men of low birth, and rendered infamous by their rapacity and crimes. Having formed his men, Colonel Caillaud transmitted to Jaffier a letter, written by Mr. Vansittart, informing him what was intended, and instructing him in the line of conduct to be pursued.

The old nabob, not expecting so rapid and resolute a movement, gave way, at first, to the impulse of rage; threatened resistance; and declared that, while life remained, he would not accede to the terms demanded. Colonel Caillaud, who had been instructed to avoid

the effusion of blood, gave time for this transport to subside; and, in about an hour, was called into the nabob's presence. He urged strongly the inutility of further opposition, and pressed him to adopt the measures suggested in the letter; but Jaffier rejected every offer, and, at length giving way to despondency, declared his resolution to relinquish the government, stipulating only for the preservation of his life. To this determination he rigidly adhered; in vain was he assured that not only his life, but his authority, should be secured: he said, he too well knew the disposition of mankind, and of his countrymen in particular, to trust himself near Cossim, from whom his life would be in perpetual danger; and requested permission to reside at Fort William, under the protection of the English.

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Finding him inflexible, Mr. Vansittart acceded to his request; and Jaffier, attended by a strong escort of Europeans, taking with him all his effects, women, jewels, and treasure, repaired to Calcutta, where he was met by a deputation from the council, and treated with every mark of respect due to his former dignity. The throne being thus abdicated, Cossim Ally was proclaimed nabob, and received the customary homage: his election gave general satisfaction, and the tranquillity of the city remained uninterrupted.

Mir Jaffier
departs for
Calcutta.Cossim pro-
claimed nabob.

Cossim instantly fulfilled his agreements with the English. He put them in possession of the departments of Burdwan, Midnapour, and Chittigong; a fertile and extensive tract of country, the annual revenues of which amounted to six hundred thousand pounds. He concluded an alliance offensive and defensive, and the affairs of the Company promised soon to become more flourishing than ever*.

* The preceding narrative is derived from Dow's History of Hindostan; Verelst's View of the Rise and Progress of the English Government in Bengal; Holwell's Narrative; his Address to the Proprietors of East India Stock; Vansittart's Narrative, and his Letters to the Board at Calcutta; the History and Management of the East India Company; Transactions in India; the Defence of Lord Pigot; and the Reports from the Committees to the House of Commons, published by authority.—The discussions and narratives of facts relative to the affairs of India, are so perplexed with the different representations of individuals, resulting from their passions, hopes, or prejudices, that no account can be given on the credit of any authority, which is not contradicted, almost diametrically,

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by persons whose narratives are equally unexceptionable. The manner of Mir Jaffier's abdication, or deposition, and retreat, is thus related in a letter from Messrs. Coote, Amyatt, Carnac, Ellis, Batson, and Verelst, to the Secret Committee of the India House, dated the 11th March, 1762, and printed in the reports from Committees to the House of Commons, vol. iii. p. 252:—In pursuance of a treaty entered into with Mir Cossim, *for the deposition of Mir Jaffier*, Mr. Vansittart, under false pretences, repaired to Moradbaag, accompanied by Colonel Caillaud, and two hundred European troops and some sepoy, who, it was alleged, were intended to reinforce Patna. After delivering his letters in the most abrupt manner, and pressing Mir Jeffier to appoint his son-in-law Prime Minister, Mr. Vansittart suffered the old man to depart, and Cossim arrived. That night and the day following were spent by Mr. Vansittart, Cossim, and Colonel Caillaud, in concerting measures for executing their plan. "In consequence of these deliberations, our troops clandestinely crossed the river the next night under Colonel Caillaud, and, being joined by Cossim and his party, surrounded the nabob's palace: a letter from Mr. Vansittart was sent in to the nabob, demanding his immediate compliance with what had been proposed to him; to which the nabob returned for answer, 'That such usage was what he never expected from the English; that whilst a force was at his gates, he would enter into no terms; and that it was his desire our troops might be returned to Moradbaag.' A message was then sent in, informing the nabob, that if he did not directly comply, they should be obliged to storm the palace. Astonished and terrified by this menace, he opened his gates, exclaiming, 'That he was betrayed; that the English were guilty of perjury and breach of faith; that he perceived their designs against his government; that he had friends enough to hazard at least one battle in his defence; but although no oaths were sacred enough to bind the English, yet as he had sworn to be their faithful friend, he would never swerve from his engagement, and rather suffer death than draw his sword against them.' So suspicious was he of being sold, that 'he desired to know what sum of money Cossim Ally Khan was to give for the subahship, and he would give half as much more to be continued; he hoped, however, if they intended to dethrone him, they would not leave him to the mercy of his son-in-law, from whom he feared the worst; but rather wished they would carry him from the city, and give him a place of safety in Calcutta.' This last request of the nabob's, the effect of his fear and despair, was immediately laid hold of, and construed in the light of a voluntary resignation. Accordingly, our troops took possession of the palace, Mir Cossim was raised to the musnud, and the old nabob was hurried into a boat with a few of his women and necessities, and sent away to Calcutta in a manner wholly unworthy of the high rank he had so lately held, as is also the scanty subsistence allowed him here by his successor. Thus was Jaffier Ally Khan deposed, in breach of a treaty founded upon the most solemn oaths, and in violation of the national faith; a prince, of whose friendship and attachment you have had many signal proofs; in whose cause our arms have with much honour been employed; and by a firm adherence to whom, the English had acquired, throughout the whole country, so universal a character of fidelity and constancy, that the most perfect confidence was placed by the natives in them."

CHAPTER THE ELEVENTH.

1760—1763.

Affairs of India continued.—Conduct and character of Mir Cossim.—His efforts to destroy the Rajah Ramnarain.—Differences in the council respecting the revolution.—Conduct of the English to Cossim.—His efforts to diminish their influence.—Mr. Vansittart goes to Monghir.—Concludes an improvident treaty, the enforcement of which occasions many complaints.—Deputation sent to Monghir, who are ill used and assassinated.—Patna taken by the English; but recaptured, and the factory made prisoners.—Mir Jaffier restored.—Successful military operations of Major Adams.—Massacre of the British prisoners at Patna. Capture of that city.—Total conquest of Bengal.—Flight of Cossim.

THE flattering prospects opened by the elevation of Mir Cossim were not long enjoyed without alarm. If the welfare of the Company was endangered by the weakness of Jaffier, it was soon exposed to greater peril from the activity and intelligence of his successor. Cossim was bold, subtle, enterprising, and of a commanding genius; he felt with shame and regret his subjection to the English; and determined, as soon as he had secured the benefits which he expected from their assistance, to retrench their power, and perhaps ultimately deliver himself from their presence. He did not, however, indiscreetly betray his intentions; but maintained a cautious dissimulation, till his great views were accomplished.

By the aid of Major Carnac and the English forces, he defeated and took prisoner Shah Allum, with whom, soon afterward, he made an advantageous treaty; but, although he restored to the prince his

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narain.

liberty, and professed good intentions toward him, he opposed, with great duplicity, though with perseverance and success, Mr. Holwell's proposal for acknowledging and supporting his title to the Mogul throne: a measure which was rendered the more impracticable by Shah Allum's own imprudence.

Cossim next availed himself of the assistance of the English in reducing to obedience the rajahs who withheld the revenues of his predecessor; and, having accomplished this object, sought, by a strict and well-regulated economy, to prevent those necessities which had rendered his father-in-law's government unstable, and facilitated its subversion. As a last effort, before his display of hostile intentions against the English, he prevailed on them to give up the Rajah Ramnarain, the firm friend of the Company, and, for that reason, obnoxious to the ambitious nabob. In this measure, he met with considerable opposition from Major Carnac and Colonel Coote. Ramnarain is described as a man of abilities; but avaricious, and supposed very wealthy. He was protected by Lord Clive against the rapacity of Jaffier; he owed his continuance in power entirely to British influence; and the council considered it their duty, for some time, to persist in the policy adopted by Lord Clive. The pretext for oppressing this man was his being in arrear to the nabobs; but he always testified the utmost readiness to come to a fair and equitable account.

After the defeat of Shah Allum, who immediately repaired to Sujah ul Dowlah, the council proposed proclaiming him; Cossim appeared to consent, but afterward adopted other views, and, taking advantage of the feebleness of the British force at Patna, attempted, by bribery, to gain the custody of Ramnarain, and, by treachery, to obtain possession of the city gates. He offered Colonel Coote seven lacks and a half of rupees (£90,750) to deliver up Ramnarain, and afterward endeavoured, by terror and treachery, to secure to himself the means of seizing him. Major Carnac, who commanded at Patna before Colonel Coote, had refused obedience to the orders of council, which di-

rected him to deliver up the devoted rajah to his enemy, and thus drew on himself a great share of indignation*; but he magnanimously persevered in the same line of conduct. Cossim had the address to represent the proceedings of Colonel Coote in such a light, that, in consequence of some severe letters from the board, he repaired to Calcutta to vindicate himself; and in his absence, Cossim's malevolence was gratified, and one of the firmest friends of the Company sacrificed to a false, timid, and interested policy. Being now secure against all opposition from his own subjects and dependants, Cossim displayed less forbearance and caution toward the more formidable objects of his apprehensions.

Although it appears that the members of the council who were then present, unanimously sanctioned the proposals stated to them by Mr. Holwell, as resulting from his private conference with Cossim, yet the other members did not approve of the revolution, which deposed in so sudden a manner the Prince whom Lord Clive and Admiral Watson had elevated, and thus annulled an act which was deemed the most fortunate and glorious of the British exploits in India†. Mr. Vansittart, although seconded by a majority in the council, found the minority sufficiently formidable to fill him with apprehension: in this critical situation, he endeavoured by compliances to retain his interest with Cossim; and, as the East India Company had expressed their approbation of his past conduct, hoped, by success, to obtain the same sanction for his subsequent proceedings‡.

In fact, when Mir Cossim had recourse to hostilities, it was not without provocation. The English

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XI.

1760.

Differences
in council
respecting
the revolution.

* Appendix to the Third Report of the Committee, Nos. 13, 14, 15, and 16.

† Minutes entered in the books, at a consultation at Fort William, 8th of January, 1761, by Messrs. Amyatt, Ellis, and Harry Smith; also a letter to the secret committee at the India House, dated the 11th March, 1762, signed by Messrs. Coote, Amyatt, Carnac, Ellis, Batson, and Verelst. Reports from Committees to the House of Commons, vol. iii. p. 251, et seq.

‡ This and the subsequent parts of the chapter, where no authority is expressly referred to, are taken from the Annual Register, 1764, 1765, and 1766; Smollett's Complete History of England, vol. xvi.; Transactions in India; Verelst's View of the Government of Bengal; the Reports from Committees to the House of Commons; and the periodical publications.

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XI.1765.
Conduct of
the English
to Cossim.

officers not only disputed his orders, but, on all occasions, exhibited their superiority with an insolence insupportable to an Asiatic prince, who could not brook a mode of conduct which tended to render him and his commands contemptible in the eyes of his own subjects. The exemption from certain inland duties granted to the East India Company was enormously abused. Not only the English, and the sepoy in their pay, but natives assuming their dress and character, spread themselves over the country; oppressed, plundered, and maltreated the husbandmen, merchants, and tranquil inhabitants; defrauded the revenue, by buying and selling the necessaries and luxuries of life at their own price, and without regard to the fiscal laws; defied the authority of the nabob, and terrified his officers to such a degree, that they desisted from exercising their functions*. Whatever pretence for this

* The following extract of a letter from Mr. Hastings to the Governor, exposes these enormities in a clear and masterly manner: "I beg leave to lay before you a grievance, which calls loudly for redress. I mean the oppressions committed under the sanction of the English name, and through want of spirit in the nabob's subjects to oppose them. This evil, I am well assured, is not confined to our dependents alone, but is practised all over the country, by people assuming the habits of our sepoys, and calling themselves our gomastahs (black agents or factors). As on such occasions the great power of the English intimidates the people from resistance, so, on the other hand, the indolence of the Bengalees, or the difficulty of gaining access to those who might do them justice, prevents our having knowledge of the oppression, and encourages their continuance, to the great, though unmerited, scandal of our government.

"I have been surprised to meet with several English flags flying in the places which I have passed, and on the river I do not believe I passed a boat without one. By whatever title they have been assumed (for I could only trust to the information of my eyes, without stopping to ask questions), I am sure their frequency can bode no good to the nabob's revenues, the quiet of the country, or honour of our nation; but evidently tends to lessen each of them.

"A party of sepoys, who were on their march before us, afforded sufficient proofs of the rapacious and insolent spirit of these people, when left to their own discretion. Many complaints against them were made to me on the road, and most of the petty towns and serais (baiting places for travellers) were deserted at our approach, and the shops shut up, from apprehensions of the same treatment from us.

"The nabob also made his complaints on the subject with firmness and dignity. Every Bengal gomostah makes a disturbance at every factory, and thinks himself not inferior to the Company. In every pergunnah (the largest division of land in a zemindary), every village, and every factory, they buy and sell salt, beetlenut, ghee, rice, straw, bamboos, fish, gunnilla, ginger, sugar, tobacco, opium, and many other things, more than I can write, and which I think it needless to mention. They forcibly take away the goods and commodities of the ryots (husbandmen), merchants, &c. for a fourth part of their value; and, by ways of violence and oppression, they oblige the ryots, &c. to give five rupees for goods which are worth but one rupee; and, for the sake of five rupees, they bind and disgrace an assamsee, who pays a hundred rupees

conduct might be found in the weakness and injustice of Cossim's predecessor, he afforded no such excuse; he had hitherto conducted himself with great prudence, and fully answered all his engagements with the council.

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XI.

1760.

With a view to emancipate himself from the inspection of the English, the nabob removed his court from Moorshedabad to Monghir, situated on the Ganges, two hundred miles further from Calcutta.

He removes
his court to
Monghir.

He surrounded this place with strong fortifications, increased his troops, and introduced a new system of discipline; he invited into his pay every wandering European who had borne arms, and all the sepoys dismissed from the British service, and distributed them among his own regiments to impart a knowledge of the European exercise. He changed the matchlocks of the natives for firelocks, and formed a train of artillery on the British model. To render himself still more secure, he destroyed or imprisoned every considerable person in his dominions who shewed attachment to the English, and interdicted all correspondence between his subjects and the Company's officers. He began to enforce against the private traders the revenue laws, from which they understood themselves to be exempt, and stopped their boats throughout his dominions*.

Increases and
disciplines
his troops.

Restrains the
trade of the
English.

These proceedings filled the council with alarm and apprehension; but the complaints of the traders did not obtain much attention from Mr. Vansittart, who was sensible of the injuries sustained by the Company from their conduct, and the improper use of their pass, or dustuck, and had received instructions from the court of directors for restraining these abuses.

Alarm of the
council.

But the violence of Mir Cossim's proceeding, the peremptory manner in which he began those innovations, and the order with which they were accom-

Mr. Vansit-
tart goes to
Monghir.

"mulgazarree (rents or land-tax), and they allow not any authority to my servants; the officers of each district have desisted from the exercise of their functions, and every one of these gomastahs has such power, that he imprisons the collector, and deprives him of all authority whenever he pleases."

* Appendix to the Third Report made to the House of Commons on the Nature, State, and Condition of the East India Company, No. 17 to 26.

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XI.

1760.

and con-
cludes an
improvident
treaty.1762.
Rigid execu-
tion of the
treaty.

panied, that all disputes with the Company's servants, if beyond their own limits, should be tried by the nabob's magistrates, induced Mr. Vansittart to repair to Monghir, for the purpose of arranging differences. To his expostulations, the nabob answered in a firm and decided manner, and argued, that if the servants of the English company were permitted to trade in all parts, and in all commodities duty free, it would be his best policy to impose no customs, and thus give an active impulse to industry, increase his revenues by augmenting cultivation and manufacture, and finally obviate all causes of dispute*. Anxious to avoid hostilities with a prince whom he had himself elevated to the throne, Mr. Vansittart imprudently concluded a treaty, which stipulated that the English traders should pay the inland duties, amounting to nine per cent. on all articles not brought or sent in by sea, and obtain passes from the nabob's officers; and all their disputes with his subjects were referred to the decision of his magistrates†.

The regulations which extended to other objects of commerce, had a tendency to ruin all who, on the faith of former treaties, engaged in the inland trade. The subahdar having obtained this valuable concession, immediately transmitted copies to the officers of his revenue, with instructions to conform to its terms. As the treaty limited no time from which its operations

* This conference took place in November, 1762.

† Mr. Vansittart is stated to have received from Mir Cossim a donation of seven lacks of rupees (£81,249), for concluding this improvident and disgraceful contract. See Reports of the Committees to the House of Commons, vol. iii. p. 401, 402. In defending himself against this imputation, Mr. Vansittart alleges : 1st. That the receipt of presents was lawful, and a servant of the Company rather entitled to commendation than blame, who exercised his opportunities with moderation. 2dly. That the whole donation was not a present to him, but included a payment of expenses and purchases; and, 3dly. That Lord Clive falsified the statement of Bollackidass, the Gentoo banker, to him; while the accusation is substantiated by the depositions on oath of Bollackidass and another person. Such were the examples which led Lord Clive to observe, in a letter dated the 17th of April, 1765: "Give me leave now to lead you for a few moments into the civil department. See what an Augean stable is to be cleansed. The confusion we behold; what does it arise from? Rapacity and luxury: the unwarrantable desire of many to acquire in an instant, what only a few can or ought to possess. Every man would be rich without the merit of long services; and from this incessant competition undoubtedly springs that disorder, to which we must apply a remedy, or be undone; for it is not only malignant, but contagious."

were to commence, the vessels passing from one town to another were subject to the effects of an arrangement with which the proprietors were unacquainted, and several boats with arms belonging to the English were seized at Patna, for non-payment of the duties demanded by the nabob's officers.

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XI.

1762.

The English factory at Dacca remonstrated that the execution of the treaty, together with the injunctions of Cossim, would tend to such a rapine and destruction of the British property, as would reduce them to the same distress they had experienced in the memorable year 1756. The council of Calcutta voted it dishonourable, and, as it was concluded without their acquiescence, a breach of their privileges, and an unwarrantable dereliction of the advantages granted by the original phirmaund of the Great Mogul. Mr. Vansittart entered a minute in the books, vindicating his proceedings by circumstances, and by a forced explanation of part of the council's letter of instruction; at the same time, he avowed that his treaty was not exempt from error, and protested against the tyranny of the nabob's officers, and their voluntary misconstructions in executing the authority which he had unwarily committed to them.

Complaints
and exertions
against it.

1st Feb.
1763.

These dispositions on both sides portended inevitable hostilities; but, as a last effort to maintain tranquillity, a deputation was sent from Calcutta to Monghir. Mr. Amyatt, a member of the council, selected for his moderation and mildness, was at their head. He had invariably opposed the revolution which placed Cossim on the throne, but without acrimony, or suffering his disapprobation to degenerate into a party feud. Great hopes were entertained from his character and manners; but Cossim was inflexible in maintaining the strict tenor of the treaty: he was daily obtaining fresh supplies of arms, and appeared buoyed up with notions of his own strength and sufficiency to oppose the British troops. He was not influenced by the demeanor of Mr. Amyatt, against whom he retained an unrelenting hatred: he even surrounded the English deputation with guards, and instead of treating them as am-

28th Mar.
Deputation
sent to
Monghir.

Their treat-
ment.

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XI.

1763.

bassadors, or commercial missionaries, detained them as prisoners, not only disregarding their complaints, but refusing them permission to return.

Mir Cossim, although able, vigilant, and enterprizing in the cabinet, was by nature a coward: his mind was not expanded by liberal views of politics, but was selfish, crafty, and malignant. In his instructions for enforcing the treaty, he made a distinction between his friends and those who opposed his elevation; and his cruelty and perfidy were in conformity with those low and ungenerous principles.

24th June.
Departure.

Mr. Amyatt, failing in his negotiations, at length obtained the necessary passports, and with all his suite, except two, departed for Monghir; but the apparent relenting of the tyrant was only a prelude to further cruelty, accompanied with flagitious treachery. In passing the city of Moorshedabad, the English were attacked by Cossim's troops, posted on both sides of the river; and, although they landed, and produced the nabob's own pass, were all inhumanly massacred.

3rd July.
And assassi-
nation.

Alarm at
Patna.

Meanwhile, the disputes at Patna were carried on with increased acrimony; Cossim was continually sending fresh troops into the city; every thing wore a hostile appearance; the English factory apprehended that the place would soon be given up to the plunder of the rabble; the suburbs were entirely deserted, and misery and alarm generally prevalent. Mindi Khan, the nabob's naib, omitted paying to Mr. Ellis, the chief of the factory, the usual compliment of acquainting him with his arrival: he carried on vigorous military preparations, possessed himself of the gates, insulted the British guards, and it was rumoured that he was sent for the purpose of expelling the English.

5th April.
14th.

In consequence of a letter from the factory, stating these circumstances, the council resolved, that, in case of a rupture, and of the nabob's marching toward Patna, the factory should endeavour to possess themselves of the city, and keep it till further instructions. It became daily more and more apparent that an attack on Patna was intended, and Cossim declared that peace or war depended on the removal of the Company's

troops. Under these circumstances, Mr. Ellis assailed and took the city, notwithstanding the strength of the fortifications, and the number of the garrison. Unfortunately, the conquerors neglected all caution, and betook themselves to plunder in every direction; the governor and garrison, who had fled, perceiving this unmilitary conduct, returned, attacked the English, who were too much dispersed to make effectual resistance, and, after a considerable slaughter, compelled the survivors to retire within the fort; thus the city was recaptured with as little opposition as it had been taken. The factory, deeming their present situation untenable, crossed the Ganges, in hopes of effecting a retreat into the territories of a neighbouring nabob; but were overtaken by a superior force, and, though victorious in one engagement, were, in a second, entirely routed; Mr. Ellis and the remainder of the party were made captives; some were sent to Patna, and others to Monghir.

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1763.

The city
taken by
the English;

and re-
captured.

1st July.
Mr. Ellis
and his
party made
prisoners.

7th July.
Mir Jaffier
restored.

In consequence of these disastrous events, the council of Calcutta proclaimed the restoration of Mir Jaffier, and prepared to depose Mir Cossim. The sense of present danger quelled all their party dissensions; Mr. Vansittart and Mr. Hastings both entered minutes, in which, without renouncing their former sentiments, they declared their cordial acquiescence in the present measures.

The command of the forces being committed to Major Adams, he took the field at the head of two troops of European cavalry, and ten companies of sepoys*, with twelve pieces of cannon; and such was the improvidence of the council, that, at the commencement of hostilities, there were not above ten thousand rupees, (£1,250) in the treasury at Patna. Major Adams could not rely on the natives for assistance, as Cossim had excited a general jealousy against the English, rendered their persons odious, and destroyed all their unshaken partizans.

8th July.
Commence-
ment of
military
operations.

Notwithstanding these disadvantages, and the

* Amounting to about six hundred and fifty Europeans, and one thousand or twelve hundred natives.

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XI.

1763.
Successful
enterprises
of Major
Adams.
11th and
14th July.
9th July.

smallness of his force, Major Adams commenced an active and vigorous campaign. By two skirmishes he cleared the country, crossed the Cossimbuzar river, and attacked the enemy, amounting to ten thousand, who were drawn up in a strong position at Ballasara: they bore his cannonade for some time with firmness, but were, at length, compelled to retreat with precipitation; in this action was killed Mahomed Tuckey Khan, commander of the detachment which slaughtered Mr. Amyatt and his companions.

Major Adams, proceeding towards Moorshedabad, again encountered the enemy, well posted in an intrenchment fifteen feet deep, and defended by a numerous artillery. Unable to carry this position by storm, he made a judicious feint, forced the enemy's strong hold, put them to flight, entered Moorshedabad, and again proclaimed Jaffier subahdar of Bengal.

23rd July.

At Moorshedabad he only waited a short time to refresh his troops, then, renewing his pursuit, penetrated into the heart of the province, and pervaded the utmost recesses of Bengal, across the numerous and wide branches of the Ganges, through marshes and forests. Cossim, unwilling to risk his dominion and life on the event of a single battle, did not lead his troops in person, but made a judicious disposition of them to weary his enemy by delay.

2nd Aug.
Battle of
Nuncas
Nullas.

At Nuncas Nullas, the English again encountered a force of twenty thousand horse and eight thousand foot; here, for the first time, they experienced the effects of Cossim's new system of tactics. The troops were posted with judgment, divided into regular brigades, had a good train of artillery, were clothed and accoutred on the English model, and displayed an order and spirit which bore some analogy to those of the Europeans. But the English army, animated with resentment, and flushed with success, surmounted every obstacle, drove the enemy off the field, made themselves masters of the whole train of artillery, and took a hundred and fifty boats laden with grain and stores.

Discouraged by this defeat, the nabob's troops did

not again venture to fight in the field, but relied on their fortifications as the sole means of defence; yet neither numbers nor fortifications availed. Major Adams attacked them at Auda Nulla, a post strong by nature and art, protected in front by a swamp, on one side by mountains, and on the other by the Ganges. The Indians had thrown up a great work, on which they mounted a hundred pieces of cannon, and it was defended in front by a ditch, fifty-four feet wide and full of water in every part, except toward the mountains. The breadth of dry ground did not exceed two hundred yards, and lay between the swamp and the river. The British commander at first besieged this fortification in form, but, wearied with an inaction of fourteen days, projected an attack on the side of the mountains, where the enemy deemed themselves sufficiently secure. This bold and masterly movement was judiciously executed by Major Irwin; the intrenchments were carried, a general rout ensued, and as many perished in the river as by the sword.

The enemy now abandoned all the country; Major Adams carried his victorious arms to Monghir; and, after a siege of nine days, compelled the garrison, consisting of two thousand, to surrender. To complete the conquest of Bengal, the reduction of Patna alone remained; a detachment was sent from Monghir, under Captain Wedderburne, with orders to blockade the place, and to inform the English prisoners of his approach. The military part of his instructions was performed; but the cruelty of Cossim frustrated the intended communication to the prisoners. Enraged and desperate at the progress of the British arms, the tyrant executed a horrible act of unavailing barbarity. He commanded one Somers* to murder Mr. Ellis, the head of the factory, and about two hundred English prisoners captured with him. The Indian soldiers required that the prisoners should be supplied with

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1763.
Siege and
capture of
Auda Nulla.

21st Aug.
to 4th Sept.

Capture of
Monghir.
11th Oct.

Massacre of
the English
at Patna.

* Somers, otherwise Sumroo, otherwise Shimro, was a German, and a general officer in the nabob's service; he had been a serjeant in the French army, from which he deserted to the British, and from them to Cossim: he undertook this horrible butchery when no man in the nabob's army would engage in it but himself. Sir John Malcolm says he was a Frenchman or Swiss. Vol. ii. p. 285.

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1763.

arms for their own defence ; but were compelled by blows to fulfil the injunctions of Cossim. So unrelenting were these orders, that even an infant child of Mr. Ellis* was sacrificed ; and the only Englishman who escaped from Patna was a physician, named Fullarton, who, a few days before, received a pardon from the nabob. Nor was the tyrant content with this butchery : he put to death more than thirty of his own subjects, whom he suspected of favouring the English, and left their bodies to be devoured by beasts and birds ; a peculiar ignominy among the Gentoos : one of these victims was the unfortunate Ramnarain.

Patna taken.

Cossim, considering Patna as a last resource, evinced a proportionate energy in the defence. His troops exhibited unusual boldness and discipline, and made a resolute sally, in which they were so fortunate as to blow up a principal magazine ; but Patna not being regularly fortified, the batteries soon destroyed the works, silenced the cannon, and made a practicable breach ; and, after a siege of eight days, the city was taken by storm. Thus, in less than four months, the whole province of Bengal was subdued by Major Adams, the first European who achieved that important conquest.

6th Nov.
Total conquest of
Bengal.Flight of
Cossim.

Deprived of his last fortress, the nabob, accompanied by the murderer Somers, crossed the Ganges, with all his treasure, into the province of Oude, where he received an asylum from Sujah ul Dowlah, vizier of Shah Allum, but was not permitted to introduce his army.

* Messrs. Ellis, Hay, Lushington, and six other gentlemen, were cut to pieces and thrown into a well, which was afterwards filled up. The other persons murdered were thrown into another well.

CHAPTER THE TWELFTH.

1764—1766.

Affairs of India continued.—Disputes at the India House.—

Lord Clive appointed chief governor.—Cossim protected by Sujah ul Dowlah, nabob of Oude—who makes hostile preparations against the English.—Death of Major Adams. Mutinous state of the army.—Battle of Buxar.—Shah Alum escapes to the English camp, and enters into a treaty. Sujah ul Dowlah solicits peace—which is refused.—Surrender of Chander Geer.—Allahabad, the capital of Oude, taken.—Death of Mir Jaffier.—The council declare Najim ul Dowlah his successor.—Arrival of Lord Clive.—Final overthrow of Sujah ul Dowlah.—He surrenders himself to the English.—An advantageous peace concluded.—Efforts of Lord Clive to restore order and economy.—Mutiny of the military suppressed by Lord Clive.—Prosperity of the Company.—The dividends augmented.

THE rapid vicissitudes of the Company's affairs occasioned a violent sensation among the proprietors of stock in London, and the India House was divided into two zealous and rancorous parties. The deposition of Jaffier gave rise to many animadversions; and the subsequent transactions, which at one period brought the affairs of the Company to the verge of ruin, occasioned spirited debates and vehement altercations. A detail of the proceedings, at this distance of time, would afford neither pleasure nor instruction; and the eloquence displayed, both at the India House and through the medium of the press, only reminds us of the pertinacity with which the adherents of Lord Clive and

CHAP.
XII.

1764.

Disputes at
the India
House.

CHAP.
XII.

1764.
Lord Clive
sent to India
as governor-
general.

2nd May,
1764.

Cossim re-
ceived and
protected by
the nabob of
Oude:

Mr. Sullivan supported their respective opinions, but inspires no curiosity to examine the arguments which were adduced by either.

For some time the interests were almost equally balanced; the payment of Lord Clive's jaghire* was stopped, and became the subject of a chancery suit; Mr. Sullivan was continued chairman of the Court of Directors, and every effort to give an ascendancy to Lord Clive's party was unsuccessful; but, after a long and anxious contest, his adherents acquired a superiority; the perilous situation of India pointed him out as the only person capable of retrieving the affairs of the Company; he was nominated governor-general, and commander of the forces at Bengal; the chancery suit was arranged, by an agreement that he should receive the full amount of the jaghire, if he should live, and the Company retain possession of the lands during that term; and, at the request of the proprietors, he speedily departed for Calcutta, after receiving the Order of the Bath. Mr. Sumner and Mr. Sykes were at the same time appointed counsellors at the presidency, the former to succeed to the government. Lord Clive, Mr. Sumner, General Carnac, Mr. Verelst, and Mr. Sykes, were also constituted a select committee, with special powers.

However irritated and indignant against Cossim, the English respected the territories of a neutral power; and, when he had effected his escape, abstained from pursuing him, and encamped, during four months, on their own side of the river. Sujah ul Dowlah, the nabob of Oude, at first displayed great moderation and

* The jaghire is thus explained. By the treaty with Mir Jaffier, at the time of the revolution in 1757, certain lands were ceded to the Company, as perpetual renters, reserving to the nabob quit-rents, amounting to £30,000 per annum. The Company farmed out these lands for £100,000 a year, and paid the quit-rent regularly till 1759, when the nabob assigned it over to Lord Clive. When the contest between him and Mr. Sullivan arose, it was intimated to him, that the Court of Directors were of opinion that it ought to be retained for the Company's use. His lordship maintained (and his opinion was borne out by that of two most eminent lawyers, Mr. Yorke and Sir Fletcher Norton) that he was entitled to it, as well by the laws of England as by those of India, and that his right was established on the same authority as the Company's right to the ceded lands; but to avoid litigation, he proposed a very fair and liberal compromise. The argument was resisted, the proposals refused, and in consequence an appeal was made to a Court of Equity. *Malcolm's Life of Lord Clive*, vol. ii. p. 217, et seqq.

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XII.

1764.

prudence in not commencing hostilities in favour of the refugee ; but the cause of a native prince, expelled from his dominions by Europeans, without any complaint from his own subjects, excited sympathy, and, notwithstanding the remonstrances of the council at Calcutta, on the impropriety of affording protection to Cossim while he professed to be on terms of friendship with them, the nabob of Oude not only persevered in sheltering him from pursuit, but soon began to collect a formidable army. He answered the remonstrances of the council by recriminatory manifestos, terminating in extravagant threats, and even endeavoured, by misrepresentations, to influence Mir Jaffier to renounce the English alliance, and throw himself on the protection of Shah Allum, who then resided with Sujah ul Dowlah. Cossim's troops, although they could not obtain leave to enter the province of Oude, still annoyed the company's forces, and the English commander openly professed an intention of carrying his arms into the dominions of Sujah ul Dowlah. Alarmed at this information, and anxious to retract his hostile professions with the least possible injury to his pride, the prince indirectly made conciliatory overtures to the English government, but rejected the proposition of yielding up Cossim and Somers, which was made the essential basis of a treaty. Soon afterward, some of Cossim's troops having surprised a party of English, and brought their heads in triumph to Shah Allum, the real disposition of Sujah ul Dowlah became apparent, and, by his assistance, Cossim was enabled to send into the field an army of fifty thousand men, with suitable artillery.

This hostile movement was probably accelerated by the death of Major Adams, whose name alone was sufficient to excite terror ; but the judicious choice of a successor in Major Hector Munro, afforded the enemy no reason to triumph. His force was only nine thousand men, of whom not more than twelve hundred were Europeans, and this small army was in such a state of insubordination and mutiny, that he was compelled to punish the ringleaders to the utmost extent of

who makes
hostile pre-
parations
against the
English.

June:

Death of Ma-
jor Adams.

Mutinous
state of the
army.

CHAP.
XII.

1764.

Battle of
Buxar.

military severity, by sentencing twenty-four of them to be blown away from the mouths of cannon*.

Actuated by the same spirit which distinguished his predecessor, Major Munro made an active and vigorous campaign. He first encountered the Indian army in an advantageous encampment at Buxar, on the river Camnassary, more than a hundred miles

* Sir Hector's own account of this transaction, given before the committee of the House of Commons, displays the dreadful dilemma to which he was reduced, and the vigour and resolution with which he extricated himself, and saved the Company. "I found the army," he says, "Europeans as well as sepoy, mutinous, deserting to the enemy, threatening to carry off their officers to the enemy, demanding an augmentation of pay, demanding large sums of money, which they said had been promised them by the nabob, and disobedient to all order; four hundred of the Europeans had gone off in a body, and joined the enemy some time before I joined the army. This being the situation the army was in, I fully determined to endeavour to conquer that mutinous disposition in them, before I would attempt to conquer the enemy. I accordingly went with a detachment of the King's and Company's Europeans from Patna, with four field pieces of artillery, to Chippera, one of the cantonments. I think the very day, or the day after I arrived, a whole battalion of sepoy, with their arms and accoutrements, went off to join the enemy; I immediately detached about 100 Europeans, and a battalion of sepoy, whose officers told me they thought they could depend upon them not to desert, with two field-pieces, to endeavour to come up with the deserters, and bring them back to me; the detachment came up with them in the night time, found them asleep, took them prisoners, and carried them back to Chippera. The officer who commanded the detachment sent me an express, acquainting me with the hour he would arrive at Chippera with the prisoners. I was ready to receive them with the troops under arms; upon their arrival at Chippera, I immediately ordered their officers to pick me out fifty of the men of the worst characters, and who they thought might have enticed the battalion to desert to the enemy: they did pick out fifty; I desired them to pick me out twenty-four men of those fifty of the worst characters: I immediately ordered a field court-martial to be held by their own black officers, and after representing to the officers the heinous crime the battalion had been guilty of, desired they would immediately bring me their sentence; they found them guilty of mutiny and desertion, sentenced them to suffer death, and left the manner to me; I ordered immediately four of the twenty-four to be tied to the guns, and the artillery officers to prepare to blow them away. There was a remarkable circumstance: four grenadiers represented that as they always had the post of honour, they thought they were entitled to be first blown away; the four battalion men were untied from the guns, and the four grenadiers tied and blown away, upon which the European officers of the battalions of sepoy who were then in the field, came and told me, that the sepoy would not suffer any more of the men to be blown away. I ordered the artillery officers to load the four field-pieces with grape-shot, and drew up the Europeans with the guns in their intervals; desired the officers to return to the heads of their battalions; ordered them immediately to ground their arms, and if one of them attempted to move, I would give orders to fire upon them, and treat them the same as if they were Surajah Dowlah's army. They did ground their arms, and did not attempt to move, upon which I ordered sixteen more of the twenty-four to be tied to the guns by force, and blown away the same as the first, which was done: I immediately ordered the other four to be carried to a cantonment, where there had been a desertion of the sepoy some time before, with positive orders to the commanding officer at that cantonment to blow them away in the same manner at the guns, which was accordingly done, and which put an end to the mutiny and desertion." See also a letter from Captain William Jennings, dated 12th February 1764, Reports, &c. vol. ii. p. 364.

above Patna. They were protected by a morass lined with cannon, and a wood sheltered them on the only side which appeared assailable. Near this strong post, Munro was attacked by the enemy, who were defeated with the loss of four thousand killed; a hundred and thirty-three pieces of cannon, a great quantity of military stores, and all their tents ready pitched; while in Munro's little army, which consisted but of seven thousand and seventy-two men, of whom eight hundred and fifty-seven were Europeans, no more than eight hundred and seventy-four were returned as killed, wounded, and missing.

The Mogul, who had been detained by Sujah ul Dowlah, in an honourable captivity, but escaped from his camp the night preceding this battle, congratulated Major Munro on his victory, and requested the English, whom he considered as the only power in India capable of effecting that object, to assist in restoring him to the throne of Delhi; offering, as a compensation for this benefit, the province of Oude, or any other gratification they might require. The council of Calcutta consented: Shah Allum was received in the English camp as Emperor, and a treaty was concluded, by which he assigned to the company Ghazepoor, and the zemindarry of Rajah Bulwant Sing, belonging to the nismaut of Sujah ul Dowlah, and they agreed to put him in possession of Allahabad, and the rest of the nabob's dominions.

Major Munro now proceeded to attack the fort of Chander-Geer, situate on the Ganges, supposed to contain all the treasures of Cossim, and his only remaining position on that side the river. This place, being on a high hill, was impregnable by assault, and needed neither skill nor ammunition for its defence; the access was steep and narrow, and the besieged could, with the stones and rubbish of their own fortifications, repel the efforts of valour, and deride the machinations of art. Two successive nights Munro led his gallant followers to the attack, and was twice repulsed; the Indians, taught by experience, no longer abandoned themselves to negligent slumber; and the major, reluctantly re-

CHAP.
XII.

1764.
22nd Oct.

Shah Allum
escapes to the
English
camp.

29th Dec.

Failure of
Munro at
Chander-
Geer.

CHAP.
XII.

1764.
Sujah ul
Dowlah so-
licits peace.

Harasses
the British
troops.

Munro
recalled.
6th Jan.
1765.
Succeeded by
Sir Robert
Fletcher.

linquishing the enterprize, formed his camp under the walls of Benares.

Here Beney Bahadre, the minister of Sujah ul Dowlah, presented himself, making overtures of peace ; but Major Munro inflexibly refused to listen, unless the surrender of Cossim and Somers was first granted. The subahdar, with an inflexibility equally honourable, refused to betray those whom he had engaged to protect ; every method was ineffectually tried to effect an accommodation ; bribes, which might have awakened cupidity in the most stoical mind, were refused*. Sujah ul Dowlah yielded so far as to engage that he would cause Somers to be assassinated ; but this expedient was rejected, and the treaty broken off.

Sujah ul Dowlah was not impelled by despair to solicit peace ; he was still at the head of a formidable army ; yet, though elated by Major Munro's ill success at Chander-Geer, he did not attack the British camp, but sent flying parties of horse to harass the out-posts by skirmishes, keeping his main body, with the artillery, at the distance of fifteen miles. This conduct reduced the British commander to a critical dilemma : he could not safely remain before Benares, nor did he deem it prudent to quit his position, although daily more and more straightened by the enterprizes of his enemy.

While affairs were in this situation, Major Munro was recalled, in consequence of the arrangements made by Lord Clive before his departure from England, and the command devolved, *ad interim*, on Major Sir Robert Fletcher. The honourable zeal of this brave officer to distinguish the brief period of his authority by brilliant and useful exertions, fortunately terminated the diffi-

* The offers were twenty-five lacks of rupees (£312,500) to defray the expenses of the war ; the like sum to the army ; and eight lacks to Major Munro himself, which, with his share of the twenty-five lacks, would have made about twelve lacks (or £150,000) for himself. In resisting this splendid temptation, Major Munro displayed in impressive colours the gallantry and disinterestedness of the military character. He said, " If the nabob would give me all the lacks in his treasury, I would make no peace with him, until he had delivered up those murdering rascals ; for I never could think that my receiving eleven or twelve lacks of rupees was a sufficient atonement for the blood of those unfortunate gentlemen who were murdered at Patna, nor a sufficient atonement to their weeping parents, friends, and relations."

culty in which his predecessor had found himself involved. In opposition to the opinion of his principal officers, he quitted the camp before Benares at midnight, and advanced toward the enemy, leaving a party sufficient to blockade the city. Three days were employed in reaching the nabob's camp, although but fifteen miles distant; twice they were drawn up to receive him, and, on his approach, retreated in good order, but the third time fled with precipitation. Thus delivered from the immediate presence of the enemy, the army was enabled to extend its position, and relieved from the want of forage and provisions.

Sir Robert Fletcher advanced to attack the fortress of Chander-Geer; and the garrison, whose pay was six months in arrear, refusing to obey the orders of their governor, mutinously compelled him to surrender. This gave birth to an affecting scene. The governor came forth, and, in sight of his troops, delivered the key to Sir Robert Fletcher; then, shedding tears, he complimented the victor, and apologized, not for his too resolute defence, but for his too speedy surrender. "I have endeavoured," he said, "to act like a soldier; but, deserted by my prince, and left with a mutinous garrison, what could I do? God and you" (laying his hand on the Koran, and pointing to his soldiers) "are witnesses that to the faith of the English I now trust my life and fortune."

Profiting by his success, Sir Robert soon made himself master of Allahabad, the enemy's capital, though defended by a strong wall, and capable of making a vigorous resistance. This conquest seemed utterly to ruin Sujah ul Dowlah's affairs, and to leave his dominions entirely at the mercy of the English.

During these transactions, the death of Jaffier, at Moorshedabad, materially affected the state of Bengal. By the law of inheritance, both in Europe and Hindostan*, his rights should have descended to his grandson, the offspring of his son Miran, who was about six years old; but Jaffier, by a testamentary paper, be-

 CHAP.
XII.

1764.
14th Jan.
Who puts the
enemy to
flight.

Surrender of
Chander-
Geer.

Allahabad
taken.

14th Jan.
1765.
Death of Mir
Jaffier.

* It appears, however, that these laws were frequently superseded throughout the Mogul empire.

CHAP.
XII.

1765.

The council
declare Na-
jim ul Dow-
lah his suc-
cessor.

queathed the succession to his natural son*, Najim ul Dowlah, then about twenty years of age, and whom he had for some time associated with him in the government. In his last moments, he also gave to his appointed successor a letter of advice, enjoining him to continue the rajah Nundcomar, his own favourite, in the office of prime minister, and to follow his instructions. Lord Clive was not yet arrived; and the council, apprized of the measures adopted in England to abridge their jurisdiction, employed the last moments of their expiring authority for purposes of avarice and ambition†. Although the importance of the crisis demanded great consideration, and no inconvenience could arise from delay, yet, with unwarrantable precipitation, notwithstanding the debauched and profligate character of Najim ul Dowlah, and the just claims of the infant son of Miran, they affected to sanction the will of Jaffier, without even requiring the consent of the Mogul. Thus they extorted large fees from the weakness and distress of the young nabob‡, while their conduct toward him was replete with harshness and insolence§. Instead of Nundcomar, they compelled him to confer the naibship, or deputy government of the province, on Mahommed Rhezi Khan, who was considered, both by Najim and his father, as an implacable enemy||. Jealous of Nundcomar's influence, they compelled Najim ul Dowlah to send him to Calcutta, for trial as a traitor, resisting the threats, prayers, and importunities of the youth they

* The fact of Najim ul Dowlah's being an illegitimate son is stated on the authority of a letter to the Court of Directors, dated the 30th of September 1765, signed by Lord Clive, W. B. Sumner, J. Carnac, H. Verelst, and F. Sykes: it forms a material point in the consideration of subsequent events.

† The Company highly disapproved their conduct. See letter of the 19th of February 1766. Reports, &c. vol. iii. p. 455.

‡ It appears that on this occasion £139,000 sterling were distributed among the council, besides other sums supposed to have been received, but of which no evidence could be obtained.

§ See Najim ul Dowlah's letter to the Select Committee at Calcutta, Reports, &c. vol. iii. p. 409. It is however to be observed, that after Lord Clive's arrival, the Select Committee, on mature investigation, declared many of the charges in this letter void of foundation: idem, p. 418.

|| In order to obtain this elevation, and in compensation to those who assisted him, Mahommed Rhezi Khan was said to have distributed, in gratifications, twenty lacks of rupees. See, on this subject, the Reports of Committees, vol. iii. pp. 411, 412, 413.

had exalted; and, in this instance, even the temptation of a large bribe, which was offered both by Najim and Nundcomar. Most probably the rajah had excited his master to attempt his emancipation from the oppressive authority of the council; but the charge of treason appearing destitute of foundation, he was afterward discharged*.

CHAP.
XII.

1765.

When Lord Clive arrived at Calcutta, he established the select committee, and formed regulations and covenants calculated to restrain the enormous and flagitious peculations of the Company's officers†. An order was also issued for securing and bringing to Calcutta all Europeans who had no claim, from indentures, to the protection of the Company.

3rd May, 1765.
Arrival and regulations of Lord Clive. 7th.

General Carnac, who was previously dispatched to command the army, found Sujah ul Dowlah still meditating an incursion into Bengal. That active and spirited prince, although often defeated in the field, expelled from his best fortresses, deprived of his vizierate, and abandoned by the Mogul, was not divested of his fortitude, or destitute of resources. He made an alliance with Mulbar, a chief of the Mahrattas, the most warlike tribe in India, and still indulged a hope of retrieving his almost desperate fortunes. General Carnac, apprized of his intentions, made a rapid march, effected a junction with Sir Robert Fletcher, in the district of Korah, attacked Sujah ul Dowlah at Calpy, before he could unite with the Mahrattas, and routed his army with great slaughter. The Mahrattas still threatening an irruption into the nabob's province, General Carnac drove them across the Jumnah, and compelled them to seek refuge in the hills.

Military proceedings.

Defeat of Sujah ul Dowlah. 22nd May.

And of the Mahrattas.

* The character of Nundcomar was open to many reproaches; he was supposed to have embezzled a great share of the revenues of Mir Jaffier; he was adverse to the English; and the army, by his means, suffered many inconveniences and privations. See Reports, &c. vol. iii. pp. 305, 368.

† A letter from the Court of Directors, dated the 1st of June 1764, requiring the execution of these covenants, was received in Bengal on the 24th January, 1765, but had not, on Lord Clive's arrival, been executed by any one of the Company's servants; and it does not appear that Mr. Spencer, who was then governor, ever brought the matter under the consideration of the council board, or gave any notice to the Company's servants that they were required to execute such covenants. See Reports of Committees to the House of Commons, vol. iii. p. 315.

CHAP.
XII.

1665.
Sujah ul
Dowlah
surrenders
himself.

Treaty of
peace nego-
tiated.

Terms ad-
justed.

In this emergency, Sujah ul Dowlah displayed genuine greatness of mind; still preserving his word inviolate, he permitted Cossim and Somers to escape*, and, after announcing his design to the General†, came unattended to the British camp, and surrendered himself a prisoner, to accept peace on such terms as should result from the justice and courtesy of the victor. General Carnac received him with the distinction due to a brave and distressed prince.

Lord Clive deemed this a crisis of sufficient importance for him to attend in person at the scene of negotiation. An agreement had been previously made with the council, that Shah Allum should be put in possession of the province of Oude; but this project was fraught with great and inevitable mischief. Lord Clive was instructed by the select committee to conciliate the affections of the native powers, and remove their jealousy, by convincing them that he had no views of conquest, but only claimed security in carrying on a free trade, equally beneficial to them and to the company. He was also directed not to extend territorial possession, but to reinstate Sujah ul Dowlah in all his dominions, without retaining any of his strong holds, or insisting on terms which might be irksome to his high spirit, and imply a suspicion of his sincerity.

Lord Clive conducted the negotiation in conformity to these instructions, and to his own judgment, which was strongly repugnant to the system of incroachment on the province of Oude. Convinced that any establishment there would only augment the number of factories without increasing trade, he omitted the word factories in the treaty‡, but did not covenant against establishing them in so positive a manner as to preclude the Company at any future period. The greater part of the nabob's dominions was restored; but Shah Allum obtained the country of Korah, and part of the province of Allahabad, with a grant of twenty-

* The nabob found a refuge among the Rohillas, the German among the Jats.

† See his letter, the answer, and proceedings thereon. Reports, &c. vol. iii. p. 416.

‡ Executed the 16th of August, 1765. See the treaty, and the several firmans confirming the various articles, in the Reports, &c. vol. iii. p. 446, et seqq.

six lacks of rupees (£325,000) yearly, payable out of the revenues of Bengal. In return for these cessions, the Mogul granted to the Company the reversion in perpetuity of Lord Clive's jaghire, or pension, which amounted to nearly £30,000 a year, and the dewanny* of Bengal, Bahar, and Orissa; and Sujah ul Dowlah conventioned to pay to the Company fifty lacks (£615,000) to defray the expenses of the war. The dewanny was declared subject to no charges, except the fifty lacks to the Mogul, and fifty-three lacks (£662,500) per annum to Najim ul Dowlah for the support of his dignity.

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XII.

1765.

This arrangement was highly acceptable to the native princes; the nabob of Oude obtained terms more advantageous than his most sanguine hopes could presage; the Mogul acquired the means of marching an army to Delhi in support of his claim to the throne; and the nabob of Bengal, considering the perplexities attending his title, and the disgraceful state in which he had been placed, was satisfied with the possession of an abundant revenue, and an exemption from control.

Advantages
to all parties

To the Company the treaty was pregnant with unlimited advantages. It tended to extinguish the jealousy of the native powers, to insure the gratitude of three princes; and should they, contrary to expectation, endeavour to disturb the possessions of the English, deprived them, by the loss of the dewanny, of the strength and riches requisite to make a formidable attempt, either by force or corruption. It promised to terminate revolutions, as the nabob could not gratify the expectations of the venal and mercenary, and no longer possessed a fund for secret services, donations, and gratuities. The revenue thus obtained to the Company was stated by Lord Clive at nearly one million seven hundred thousand pounds per annum, and his calculation was not exaggerated.

* The word dewanny is not easily rendered into English. The office of dewanny was anciently understood to comprise the collecting of all the revenues, and after defraying the expenses of the army, and allowing a sufficient fund for the support of the government in the province, the collector was to remit the residue to Delhi.

CHAP.
XII.

1765.

Thus happily and gloriously terminated a contest, in the course of which the British name in India was more than once threatened with annihilation. The motive for hostilities on our part was generally mere necessity: the deposition of Mir Jaffier has been exposed to the greatest share of censure: attempts have been made to acquit him of the murders imputed to him*; but the arguments in his favour are not supported by adequate proof†. Yet, even should his acquittal on this point be conceded, his incapacity and treachery had a direct tendency to ruin himself and the Company, and justified the resolutions adopted by the council. As a proof, it is only necessary to observe, that the war against the Shah Zaddah, protracted by him and his son to a ruinous length, was, under his more vigorous successor, ended in a single campaign; and, but for the indolence or treachery of Miran, acting under the instructions of his father and his counsellors, it might have been terminated long before‡.

Having thus fulfilled one important object of his mission, Lord Clive assiduously applied himself to restore subordination and economy; he prevented those rapid promotions to offices of great trust, by which many young men had suddenly acquired immense riches and materially prejudiced the interest and re-

Efforts of
Lord Clive
to restore
order and
economy.

* See the Dispatch from the Select Committee to the Directors, dated 30th September, 1765.

† See Mr. Vansittart's Letter to the Proprietors of East India Stock, 1767, p. 39.

‡ Whatever reasons may be advanced in vindication of the policy of the measure, the council can claim no praise for disinterestedness: they *avowedly* received £200,269 in presents.

It is a pleasure, and some relief from the disgust occasioned by such venality, of which repeated instances occur, to record the exemption of one meritorious individual from the general contagion. "Common justice to the principles and conduct of General Carnac," Lord Clive observes, "obliges me further to add, that I found him the only officer of rank who had resisted the temptations to which, by his station, he was constantly subject, of acquiring an immense fortune; and I question much, whether he is not the only man who has, of late years, been honoured with the command of your forces, without acquiring a very large independency. The letter from the Great Mogul to the governor and council, requesting the permission for him to accept of two lacks which His Majesty is desirous of bestowing on him as a reward for his disinterested services, will corroborate what I have said in his favour; and as this affair, agreeable to the tenor of the covenants, is referred to the Court of Directors, I make no doubt they will readily embrace the opportunity of shewing their regard to such distinguished merit, by consenting to his acceptance of His Majesty's bounty."

putation of the Company; he exposed to due reprehension those who by their shameless peculations had obtained unbounded wealth, while the affairs of the Company were considered as irreparably deranged*: his exertions against those employed in civil capacities gave rise to a rancorous enmity, which pursued him during the remainder of his days; and his efforts to reduce the military to subordination, and deprive them of undue advantages, produced a dangerous mutiny, which required all his courage and conduct to suppress.

The seditious disposition of the army has already been mentioned, and it was often severely felt during the war. The military in Bengal enjoyed an additional allowance for subsistence, called double batta, which was not granted in any other part of India. It was obtained at the express desire of Clive, after the battle of Plassey; but, as the motive of necessity had long ceased, the Court of Directors recommended its discontinuance. The council at Calcutta made some efforts for that purpose, which, from the feebleness of their authority, were almost ineffectual; but the war being terminated, a sufficient allowance provided for the widows and children of officers, and the select committee having admitted them to a participation in the salt trade, Lord Clive considered this a proper time to execute his instructions, and issued orders for reducing the double batta.

Mutiny of
the military.

A spirit of resistance immediately manifested itself; committees of correspondence were established among the officers, and a general conspiracy formed, to compel a submission to their demands by resigning all their commissions. They bound themselves to secrecy by solemn oaths, executed bonds with considerable penalties to secure fidelity to their engagements, and raised a subscription of eighteen thousand pounds to provide for those who, by adhering to the association, might be unable to obtain restitution of their commissions.

May, 1766.

It is asserted that this confederacy, strengthened by the accession of numbers, meditated more than a

* See his admirable Letter to the Court of Directors. Reports of Committee to the House of Commons, vol. iii. p. 391.

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XII.

1766.

redress of the immediate source of complaint. They determined to procure the abolition of the new covenants restraining the Company's servants from receiving presents from the princes of the country, the annihilation of the select committee, and an engagement from government, with a standing order of the board, that no officer in Bengal should be superseded by others appointed in England, or drawn from other settlements in India.

Suppressed
by Lord
Clive.

This dangerous conspiracy was kept so profoundly secret, that Lord Clive, who was at Moorshedabad, was only apprized of it a few days before the intended resignation, by a letter from Sir Robert Fletcher. Accompanied by two members of the select committee, he instantly repaired to Monghir, where part of the European soldiers had taken arms. Aided by the persuasion of some superior officers, and the attachment of a black regiment, he brought them back to their duty, and proceeded to conciliate the army by a distribution of honorary rewards to the non-commissioned officers, by judicious commendations of the black commandants, and by an advance of pay for two months. These measures were attended with signal success; the officers who lately presumed to control the government were reduced to the necessity of departing for Calcutta, after seeing themselves deserted by the privates, and many of their stations occupied by subalterns, to whom Lord Clive gave commissions. The like event attended the same exertions in the two other brigades, to which the conspiracy also extended.

The mutineers, now despondent and submissive, implored the restitution of their commissions; some of the least culpable were indulged in their request, and others put under arrest, preparatory to trial by a court martial. This court, by a lenient construction of the act for punishing mutiny and desertion in India, would not venture to pronounce capital sentences, but inflicted punishments of an ignominious nature; the governor and council compelled the culprits to return to Europe, and the houses of some of the most intract-

able were surrounded by a military guard, until ships were ready for their departure*.

The intelligence of this mutiny produced no great sensation in England, because the account of its rise was accompanied with that of its suppression; the Company was considered exempt from danger, and standing on a basis of unrivalled affluence and commercial prosperity.

In such circumstances, the holders of India stock became desirous to partake in the advantages produced by so imminent a risk of their property. They were entitled to form such expectations, as in the course of the war their dividends were reduced from eight to six per cent. and still remained at that point. The directors, for a time, evaded the proposition by a finesse; but a motion was afterward carried for augmenting the dividend to ten per cent. At the same time, a message in writing was received from the first lord of the treasury, importing that, as the affairs of the Company had been mentioned during the last session, and would probably be again taken into consideration, he had apprized the Company of the time when parliament would meet, that they might be enabled to prepare their papers for the occasion.

CHAP.
XII.

1766.
Satisfaction
of the di-
rectors.

Dividends
augmented.

18th June.
September.

* See Strachey's Narrative of the Mutiny of the Officers of the Army in Bengal; Verelst's View of the English Government in Bengal, p. 57; and for many interesting particulars of this short administration of Lord Clive, see the History by Sir John Malcolm, vol. ii. and iii. chap. xv. and xvi.

CHAPTER THE THIRTEENTH.

1766—1767—1768.

Transactions in America—Effect of repealing the stamp act—and of the declaratory act.—Contumacy of the colonists.—Disasters in the West Indies.—Scarcity of grain in England.—Embargo laid by order of the privy council.—Meeting of parliament.—Indemnity bill—strenuously and ably argued.—Lord Chatham's efforts to gain adherents.—Partial change of ministry.—Embarrassment of Lord Chatham.—Attempt to form an alliance with Russia and Prussia.—Its failure.—Lord Chatham's ill health.—Want of union in the cabinet.—Affairs of the East India Company discussed in parliament.—They declare an increased dividend.—Regulating and restraining bills passed. Suspension of the legislature of New York.—New duties on exports to America.—Commissioners established.—Attempts to form ministerial arrangements.—Projects and death of Charles Townsend, chancellor of the exchequer—his character.—Lord North chancellor of the exchequer—his character.—Grafton administration.—Meeting of parliament.—Restraint on grain.—Restriction of dividends on East India stock.—Nullum Tempus bill rejected.—Occasion of the motion.—Prorogation and dissolution of parliament.

CHAP.
XIII.

1766.
Effect of re-
pealing the
stamp act.

THE repeal of the stamp act diffused great satisfaction through all parts of America; but the rejoicings were calculated to inspire uneasiness and alarm. The repeal, whether conceded on the ground of right or of expediency, was a triumph to the party in opposition to the British government; and, during the demonstrations of joy, the seeds of future resistance were carefully nourished. The courts of justice resumed their functions, and the provincial assemblies their sittings:

but there were not wanting many, who, by pamphlets and newspaper publications, prevented the return of cordial affection, and cautioned the colonists against a too implicit reliance on the moderation of the mother-country.

CHAP
XIII.

1766.

The declaratory act, which, in the expectation of the framers, was to stifle all differences, by the establishment of an undeniable principle, was, on the contrary, exhibited to the Americans as evidence that the repeal of the stamp act had been rather extorted than voluntarily conceded, and that the rulers of the British nation still cherished the hope of deriving, on some more favourable occasion, a revenue from the taxation of America. The people were therefore exhorted not to forego the means of establishing their own independence; they were counselled to encourage the breed of sheep for a supply of wool; to promote the culture of flax, hemp, and cotton, and the fabrication of such of the coarser British manufactures as would enable them, on a future contingency, to support associations against importation*. These measures obviously resulted from the declaratory act, and shewed the fallacy of Dr. Franklin's declaration at the bar of the House of Commons, that the assertion of right would never give the Americans any concern, if not attempted to be carried into practice†.

Of the de-
claratory act.

Thanks and addresses to the King were cheerfully voted by all the assemblies; but expressions which could be construed to imply an obligation to parliament were studiously avoided; and the Americans soon evinced a disposition not to carry their compliances to any extent which should sanction an opinion of continued obedience. The secretary of state, in his letter to the governors, recommended that a requisition should be made to the colonial assemblies, for compensations to those who had been injured by the late riots. The governor's message was reluctantly, and somewhat contumaciously, taken into consideration by the assembly of Massachusetts Bay: they did

Proceedings
in Massa-
chusetts's Bay
on the com-
pensation act.

* Stedman's History of the American War, vol. i. p. 48.

† See his examination before referred to.

CHAP.
XIII.

1766.

In other
provinces.Unwilling-
ness of the
New York
assembly to
provide for
the military.

not act upon it until the inhabitants sent express instructions to their representatives on the subject, and until they received information that the Lords of the Treasury in England refused to pay the sums of money voted by parliament in 1763, unless the proposed compensation was made. At length, an act to this effect was passed; but, to shew the spirit of the colony, it contained a clause of indemnity to the offenders in the riots, who were thus taught to consider themselves, equally with their victims, objects of the care and attention of their legislators*. Rhode Island and New York were no less dilatory: Maryland alone, with laudable eagerness, voted a compensation, though there was only one sufferer in the province.

An occasion soon presented itself for displaying the real disposition of the Americans. In the last session of parliament an alteration was made in the American mutiny act, enjoining the colonists to supply the soldiers with salt, vinegar, and beer or cyder. The first attempt to obtain this moderate indulgence was made in New York: the governor applied to the assembly to provide quarters for the troops who were expected, and specified the additional articles required. That body most reluctantly took the matter into consideration; an answer was not voted till the soldiers arrived, and were put to some inconvenience for want of quarters: and the address was not satisfactory to the governor, because no notice was taken of the demand to supply the military with necessaries according to the act of parliament. Another message was therefore sent to the assembly, and, after several messages and replies, they finally resolved not to comply with the amended mutiny act. They considered the principle as not differing from the stamp law, by its tendency to impose a new burthen†, and at length passed an act, which, on their own authority, new

* Stedman, vol. i. p. 50. This conduct of the assembly of Massachusetts Bay affords another instance of the fallacy of Dr. Franklin's answers at the bar of the House of Commons. He said the assemblies had no disposition to encourage the rioters; that they considered them liable to punishment, and would punish them themselves if they could.

† Stedman, p. 51.

modelled or repealed a regulation made by the parliament of Great Britain*.

In some other provinces, the act was no better received; and probably the zeal of the military in support of government occasioned this display of resentment in the assemblies. In Duchesse county, being called in to assist the civil power, they were fired on by the mob, and compelled in their own defence to wound some of the assailants†. In New York, some soldiers attempting to cut down the tree of liberty, erected by the inhabitants as a token of triumph on the repeal of the stamp act, the populace resisted, and blood would have been shed, had not the moderate disposition of the commanding officer and magistrates effected an amicable adjustment.

While thus, in America, a momentary conciliation produced no beneficial effects, the West India islands, where the inhabitants sympathised with the American colonists in resisting the stamp act, were reduced to great distress by the formidable devastations of a hurricane, which began at Martinique, and extended its ravages to several of the leeward islands.

Lord Chatham's ministry commenced under inauspicious circumstances. From an uninterrupted succession of rain, the harvest failed in all parts of England; the price of bread was considerably advanced; and, as a similar scarcity prevailed on the continent, great alarms were entertained, lest, by commercial combinations, and by an unlimited exportation for profit, the country should suffer the miseries of famine. In consequence of these apprehensions, tumults were excited in many parts of the kingdom, which were not repressed without the aid of the military‡. A proclamation was issued against forestallers and regraters; but, that measure not being deemed sufficiently strong, and the city of London having re-

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Conduct of
other pro-
vinces.

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Disasters in
the West
Indies.

13th Aug.

Scarcity of
grain in
England.

Sept. 10.

* Andrews' History of the American War, vol. i. p. 78.

† Almon's Collection of Papers, vol. i. p. 101.

‡ By the advice of Lord Chatham, special commissions were issued for the trial of the rioters; some paid for their indiscretion with their lives; many received conditional, and some free, pardons.

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Embargo
laid.Meeting of
parliament.
12th Nov.Debate on the
Address.Indemnity
Bill.The Earl of
Suffolk.

presented to the throne that orders were received for the exportation of large quantities of wheat, while the company of bakers had applied to the city magistrates to prevent a diminution of the small stock of old corn left in the kingdom, the privy council prohibited the export, and laid an embargo on ships preparing to sail with cargoes of grain. Lord Chatham, was prevented by illness from attending the council, but in writing recommended the measure*; and addresses of thanks for the embargo were presented by London, Norwich, and Gloucestershire.

Much difficulty was felt by ministers in framing the King's speech for opening the session; Lord Chatham was requested to undertake the task, but with what success does not appear†. The scarcity formed the principal topic, and was assigned as a reason for convening the parliament early, to deliberate on a matter so important, and particularly affecting the poor. "The urgency of the necessity," the King observed, "called upon me in the mean time to exert my authority for the preservation of the public safety, against a growing calamity which could not admit of delay. I have therefore, by the advice of my privy council, laid an embargo on wheat and wheat-flour going out of the kingdom, until the advice of parliament could be taken." His Majesty then recommended further provisions, if necessary, with respect to the dearness of corn, and mentioned, with regret, the spirit of insurrection displayed in many parts of the kingdom.

The address was opposed in both houses, and amendments moved, importing an intention to bring in a bill for indemnifying those who had advised the embargo.

In the House of Peers, Lord Spencer moved, and Lord Hillsborough seconded, the address. The Earl of Suffolk began the opposition, by declaring the necessity of a bill of indemnity, both for the sake of the parties concerned, and of the constitution; and he

* Life of Lord Chatham, vol. ii. p. 39. Correspondence, vol. iii. p. 73, 98.

† Lord Chatham's Correspondence, vol. iii. p. 100.

censured ministers for having so long deferred to convoke parliament: if they had not been so remiss, the illegal act might have been avoided.

Lord Chatham, in an eloquent exordium, described his own feelings on speaking in an unaccustomed place, before men most profoundly versed in the laws, and in presence of the hereditary legislators of the realm. He admitted that it was physically possible to have convened parliament a fortnight or three weeks sooner; but, instead of a benefit, it would have been detrimental, by depriving the country, in the very moment of danger, of those whose authority had been of so much weight in suppressing the tumults. On the first intelligence he had received (and it was only of an apprehended scarcity, and could be no more, for the harvest was not thrashed out, or its produce ascertained), he had advised a proclamation, declaring parliament to be prorogued to a certain day, then to meet "for the dispatch of business;" a material notification, not inserted previously, but always used, to prevent sudden and surreptitious conventions of parliament. It was now assembled at an earlier period than usual; and it was not desirable to hurry the principal persons in the nation, riding on post horses, from every extremity of the kingdom to the metropolis; a step which would have created an imaginary scarcity, if a real one had not existed. It was some time after the proclamation, that the surmise of scarcity had been verified, and before the riots began.

On the subject of the embargo, Lord Chatham treated shortly, moderately, and sensibly. It was an act of power, which, during the recess of parliament, was justifiable on the ground of necessity; and he read a passage from Locke on Government, to show that, although not, strictly speaking, legal, such an act was right in the opinion of that great friend of liberty, that constitutional philosopher and liberal statesman.

Had the same moderation been observed by other peers, the debate would have presented little that was worthy of observation; but Lord Northington insisted on the legality of the measure, and maintained that

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Lord
Northington.

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the Crown had a right, in cases of necessity, to interpose even against a positive act of parliament; and that such interposition was not only justifiable, but legal. He said he was no patron of the people, expressed something like sarcasm against Lord Chatham, and challenged any lawyer to contradict him.

To this defiance Lord Mansfield speedily responded, shewing, by clear legal arguments, that the power claimed for the crown, as stated, was utterly inconsistent with the constitution, particularly as established by the revolution. In his opposition to government on this point, his lordship displayed the dignified prudence becoming an eminent magistrate, who, in resisting the encroachment of power, will not give force to popular discontent. As actions had been commenced, and were likely to be tried before him, he would give no legal opinion; but whether the measure were legal or not, he wished that no opposition should be offered to the address; because, in either way, it was to be approved. He thought something ought to be done to put an end to questions on the subject; not to indemnify the council or great officers of state; that was of small importance; but to prevent suits against persons who had acted in execution of the order.

Lord Camden
and other
peers.

Lord Camden adopted, to its very extreme, the untenable doctrine of Lord Northington; but his argument on this occasion is not recorded; nor are those of Lord Shelburne, the Duke of Grafton, Lord Lyttelton, or Lord Temple, who also spoke in the debate. The address was carried without a division.

House of
Commons.18th.
Alderman
Beckford.

As Lord Chatham had wisely abstained from advocating the high and dangerous principles advanced by Lord Northington, the affair might have been passed over in perfect tranquillity, but for the indiscretion of Alderman Beckford, who, in an extravagant fit of ignorant zeal, went even beyond his models in asserting the right of the King to dispense with the laws in cases of necessity. At any other time, such an effusion would only have excited a laugh; but, on the present occasion, the words were taken down, and, as they were censured on all sides, the alderman was

obliged to explain, by retracting, and even denying, what he had said*.

This discussion arose on a motion, by General Conway, for leave to bring in a bill for the protection and security of all persons who had acted in pursuance of, or obedience to, the late order of council: several animated debates ensued, in which the conduct of government was severely arraigned. The assumption of a prerogative to dispense with an existing law, under any circumstance, or for any motive, was decried as unconstitutional and dangerous, and tending to establish an unlimited tyranny: those who advised were no less open to censure than the officers who executed the measure; and therefore an amendment was moved, including the ministers in the operation of the bill.

Lord Chatham, although he had never maintained the extravagant opinions of the two chancellors, seemed to treat the matter with disdain, and ironically desired that the bill should be made as strong as possible, including the advisers of the measure, and that it should be declaratory as well as indemnifying†.

Lord Camden, in supporting his former opinion, strongly vindicated those who, on an obvious necessity, had done an act which no existing law could be produced to justify. "The necessity of a measure," he said, "renders it not only excusable, but legal; and consequently, a judge, when the necessity is proved, may, without hesitation, declare that act legal, which would be clearly illegal where such necessity did not exist. The crown is the sole executive power, and is therefore intrusted by the constitution to take upon itself whatever the safety of the state may require, during the recess of parliament, which is at most but a forty days tyranny." He concluded by observing, that the power exercised on this occa-

Ministry de-
fended by
Lord
Camden.

* See the Commons' Journals, vol. xxxi. p. 15. The general account of this transaction is derived from a Letter of Henry Flood, Esq. to Lord Charlemont: Lord Charlemont's Correspondence, p. 22. The arguments of Lord Mansfield are not fully stated; the writer admits, as in a private correspondence he was free to do, a partiality to the Lord Chancellor, and a dislike to the Lord Chief Justice: but still he fairly allows that the advantage in the argument was with Lord Mansfield.

† Idem, p. 27.

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Opposed by
Lords Mans-
field, Temple,
and Lyttel-
ton.

sion was so moderate and beneficial, that Junius Brutus would not have hesitated to intrust it even to the discretion of a Nero.

These arguments were combated by Lords Mansfield, Temple, and Lyttelton. They denied that any suspending or dispensing power was, or ought to be, vested in the crown; on the contrary, during the recess of parliament, the King himself was as much subject to the law as any other individual, and could not alter or impede its course. The danger of such a prerogative had been frequently adverted to in parliament, and particularly in the bill of rights, the preamble of which expressly mentions the evils resulting to the kingdom from the practice adopted by James II. of assuming a power to dispense with, and suspend, the execution of laws without the consent of parliament. Lord Chatham was accused of perverting the genuine sense of Locke in his quotation; and the effect of the passage on which he founded his argument was forcibly contrasted with the use he had made of that author in the last session. "The last session of parliament," it was said, "set out with the wildest doctrines, extracted piece-meal from that same Mr. Locke in favour of liberty; of liberty run mad with notions extravagant, ridiculous, exploded, and, thank God! by the whole legislature condemned. This session begins with doctrines again extracted also piece-meal by the same persons, from the same author, trumpeting forth a tone of tyranny more hateful and more dangerous, because more extensive, than any promulgated in the worst reign of the worst of the Stuarts." That the act in question had for its object the good of the people, was denied to be a sufficient argument to prove no indemnity requisite. The wildest bigot in the cause of arbitrary power would not pretend that any prerogative could or ought to be exercised but for the good of the people; and precedents were adduced to prove that such acts, unquestionably founded on that motive, had, in former times, been the objects of parliamentary indemnity. Lord Camden's expression, that the right thus assumed could

only amount to a forty days tyranny, was treated with great severity. "Forty days tyranny!" one of the speakers exclaimed; "my Lords, tyranny is a harsh sound. I detest the very word, because I hate the thing. But are these words to come from a noble Lord, whose glory it might and ought to be, to have risen by steps that liberty threw in his way, and to have been honoured as his country has honoured him, not for trampling her under foot, but for holding up her head. I have used my best endeavours to answer the argument which is the foundation of the distinction to which the forty days alludes, by argument founded on principles; I will now give the noble Lord one answer more, and it shall be *argumentum ad hominem*. That noble Lord has, I believe, said, on other occasions, and he said well, that the price of one hour's English liberty none but an English jury could tell; and juries, under his guidance, have estimated it very high, in the case of the meanest of the subjects, when oppressed only by the servants of the state. But forty days tyranny over the nation by the crown!—who can endure the thought? My Lords, less than forty days tyranny, such as this country has felt in some times, would, I believe, bring your lordships together without a summons, from your sick beds, riding even upon post horses, in hot weather, faster than our great patriots themselves to get a place or a pension, or both; and, for aught I know, make the subject of your consultations that appeal to Heaven which has been spoken of. Once establish a dispensing power, and you cannot be sure of either liberty or law for forty minutes."

"A noble and learned Lord speaks of meritorious criminality as strange; and it would be so. But meritorious illegality is not so strange, or an action meritorious in itself, and happy in its effects, though against law. The merit consists in running the risk of the law for the public good; as in the instance which has been cited of the Roman General who fought against orders, and was rewarded for saving

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“ his country. On the other hand, if an act is authorized by law, there can be no such risk, or consequently any other merit than that of doing one’s duty. I agree that he would be a poor minister indeed, who would not run such a risk, when the safety of the state required it. I say, that without being minister, as an inferior magistrate, or even as a private subject, I should not hesitate, upon good ground of public safety, to stop, if I could, any ship from sailing out of port, to the destruction of the state, although no embargo subsisted; and in this case, if ministers had held to the justification of the particular act upon the circumstances, they had done well. But they have justified the act, by maintaining a power which I cannot acknowledge. I blame not the crown, nor the advisers of the crown, for dispensing good, nor do I wish to hold out to the people a violation of the constitution; but I will blame ministers for asserting a prerogative in the crown, which, instead of dispensing good, would dispense much evil; and if they will hold out a power unconstitutional, and destructive of the vitals of the constitution, they must excuse others for holding up the barrier against such a power, and defending the constitution. I think prerogative is a power, and it is a duty also to protect the people; but I think a dispensing power is no part of the prerogative, and equally against the duty of the prerogative and the safety and protection of the people: and I am astonished how a House of Lords could have patience to sit and hear so much of it. The dispensing and suspending power, and the raising of money without consent of Parliament, were declared to be precisely alike, and standing upon the very same ground; they were born twins, they lived together, and together were buried in the same grave at the revolution, past all power of resurrection. If a difference were made between raising money, and the suspending or dispensing power, the suspending and dispensing power must be considered as the most dangerous, as that which might do most universal

“ mischief, and with the greatest speed, as it includes
“ the whole. Rashly and wilfully to claim or exercise,
“ as prerogative, a power clearly against law, is too
“ great boldness for this country; and the suspending
“ or dispensing power, that edged tool which has cut
“ so deep, is the last that any man in his wits would
“ handle in England: that rock which the English
“ History has warned against with such awful beacons:
“ an attempt that lost one Prince his crown and his
“ head; and that at length expelled his family out
“ of this land of liberty to the regions of tyranny, as
“ the only climate that suited their temper and genius;
“ a power, the exercise of which stands branded, as
“ the subversion of the constitution, in the front of
“ that truly great charter of your liberties, the bill of
“ rights. A minister who is not afraid of that power,
“ is neither fit for the sovereign nor the subject*.”

The act done may well be supported by the irresistible argument of public necessity; but, on every constitutional principle, an act of indemnity was requisite. The question, on the whole, was one of abstract theory: the necessity of the embargo was universally admitted; and, although the debates were violent, and the amendment rejected, no protest appears on the journals. The Parliament, in fact, sanctioned the proceeding of ministry by an address to the King, requesting him to continue the embargo, and extend it to several other species of grain, and also to prohibit the corn distillery. Bills were also passed, allowing the importation of grain and flour, duty free, from the British colonies in America, and from all parts of Europe, and for prohibiting the exportation of them and of some sorts of animal food†.

The opposition to Lord Chatham's ministry was not unexpected. The estrangement of Lord Temple deprived him of many adherents; and a powerful coali-

Lord Chatham's efforts to gain adherents.

* No details are preserved of this debate. The account of it here given is taken from a pamphlet, called, “ A Speech against the Suspending and Dispensing Prerogative.” It was supposed to be penned by Lord Mansfield, but was, in fact, written by a gentleman at the bar, under the direction of Lord Temple, and with the assistance of Lord Lyttelton.

† See Debates and Journals.

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tion of parties was formed against him. Anxious to break this combination, he made overtures to the Duke of Bedford. In a conference at Bath, he stated the principal measures which he intended to pursue; to maintain the inviolate observance of the peace, to avoid continental connexions and subsidies, and to observe a rigid economy. The Duke said these were his own measures, and declared his resolution to support them, whether his friends were in or out of office: the topic of America was carefully avoided.

This interview being understood, both by the Duke and the minister, as merely preparatory to another, the Bedford party took little share in the early debates of the session: yet the opposition encountered by Lord Chatham formed a striking contrast to the constant approbation which awaited the measures of his last administration, and he felt this change with great sensibility. He found it necessary to gain new friends, and enfeeble his opponents; but his endeavours failed. The harsh manner in which he dismissed Lord Edgumbe from the appointment of treasurer of the household, with a view to gratify the Duke of Newcastle by bestowing it on Sir John Shelly, the Duke's near relation, disgusted many respectable members of administration. The Duke of Portland, the Earls of Bessborough and Scarborough, and Lord Monson, withdrew their support; and Sir Charles Saunders, Sir William Meredith, and Admiral Keppel, resigned their places at the board of Admiralty.

24th Nov.
Partial
change of
ministry.

26th.

Chagrin of
the Duke of
Bedford.

To counterbalance this defection, Lord Chatham renewed his overtures to the Duke of Bedford, and, as an introductory measure, offered the first situation at the Admiralty to Lord Gower, who instantly repaired to Woburn for the purpose of consulting the Duke. During his absence, Lord Chatham made a different arrangement. The place of first lord of the Admiralty was given to Sir Edward Hawke; the other vacant seats at the board were filled by Mr. Jenkinson and Sir Piercy Brett; and Lord Hillsborough and Lord Le Despencer were appointed joint postmasters. On his arrival in town, the Duke of Bedford required of

the minister places for several of his friends; but was mortified with the information that no offices were reserved, and even that which has been offered to Lord Gower was disposed of.

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This whole transaction is involved in mystery: the conduct of Lord Chatham indicates embarrassment and precipitation. Although these appointments served to fill up the vacancies, and complete the numbers of administration, no addition of strength was acquired: the adherents of the Duke of Bedford were disgusted, and those who accepted offices were not conciliated. Lord Chatham was in a similar situation to that of Lord Bute at the close of his administration; the creator of a cabinet who neither loved nor respected him, opposed by a numerous, able, and active party, divested of popularity, and sustained only by the King, whose support was strenuous, and his confidence unbounded. His Majesty's conduct throughout their perplexing negotiations was firm, sensible, and dignified. "I know," he said, in a letter to Lord Chatham, "the uprightness of my cause, and that my principal ministers mean nothing but to aid me in making my people happy; the hour demands a due firmness; 'tis that has already dismayed all the hopes of those just retired; a contrary conduct would at once overturn the very end proposed at the formation of the present administration; for to root out the present method of parties banding together, can only be obtained by withstanding their unjust demands, as well as the engaging able men, be their private connexions where they will*."

Embarrassment of Lord Chatham.

In another quarter, Lord Chatham experienced a mortifying check. The Empress of Russia formed an alliance with the King of Prussia for their mutual support and protection, and it was her wish to have

Attempt to form an alliance with Russia and Prussia.

* Letter from the King to Lord Chatham, 2nd December, 1766; Correspondence, vol. iii. p. 137. The same book, pp. 126 to 147, contains many other particulars of the negotiations which were begun and terminated unsuccessfully; and it is to be observed, that the failures were not occasioned by any differences of opinion in politics, but merely by selfishness and jealousy about official appointments and personal patronage.

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included England, Denmark, Poland, Sweden, and Saxony; that is, to form an alliance of the north of Europe against the south*. Soon after their accession to power, the new administration resolved in council, with the King's entire approbation, to form with the Empress of Russia and King of Prussia such an alliance as had been meditated, to counterbalance the weight of the Family Compact.

Lord Chatham expected, no doubt, that a sense of personal esteem, and of gratitude for past exertions, would have predisposed Frederick to concur in this project; and instructions were immediately dispatched, authorizing Sir Andrew Mitchell to make the necessary communication. The accomplishment of this task was beset with difficulties. The British ambassador had well-founded objections to a conference with Count Finkenstein; the King was in Silesia, travelling too rapidly to permit a hope that a courier could overtake him, and, as a last chance, Mr. Stanley, who was on his way as ambassador to Petersburg, undertook to apprise Frederick of the subject of his mission, hoping that he would be propitiated by such a mark of confidence. It appeared obvious that, if he would reflect coolly and deliberately on his own situation, unallied, surrounded with jealous enemies, dreaded, but not beloved in the empire, he would plainly see that nothing could tend so much to his security, nor toward re-establishing and perpetuating the weight and influence he had acquired in Europe, as a sincere concurrence in this plan of alliance, which would secure peace upon a solid basis to the present age, and afford a prospect of tranquillity to the next†.

Sept. 30th.

By whomsoever the disclosure was made, whether by Sir Andrew Mitchell or Mr. Stanley, it was received in a manner most discouraging; sufficiently so to draw from General Conway a letter, in which, while he expressed high approbation of the ambassador's conduct,

* Lord Dover's Life of Frederick the Second, vol. ii. p. 340.

† These are the expressions of Sir Andrew Mitchell, in a dispatch to General Conway, August 24th, 1766.

he said, that notwithstanding many things which His Majesty had heard of the King of Prussia's manner of expressing himself of late, with regard to connexions with this country, he could not learn, without much surprise, the account of the great coolness with which he met this advance. The observations which Frederick was said to have made were answered with considerable asperity, and he was advised to recollect that Silesia was more likely than any other matter to kindle a new war*.

In relying on any supposed good-will in the King of Prussia, a material omission was made, that of forgetting the temper and character of the sovereign with whom it was proposed to treat. After many delays, Sir Andrew Mitchell was favoured with an audience; but the King's coldness on the proposal, shewed an indifference, if not aversion, to the plan. For some time afterwards a total silence was maintained. The English minister knew His Majesty's impatience, especially when in a bad humour, and apprehended that an application might produce a short and perhaps disagreeable answer, which, when once given, would not easily be revoked. If not spoiled by too much courtship, it was hoped that he would be sufficiently sensible of his own interests to perceive that, by the triple alliance, he, of all parties, must be the most substantial gainer. If a compact were effected between Russia and Great Britain, his safety would require him to join in the alliance; for he had no connexion with France, nor was there reason to believe that France desired any with him. It would, therefore, be more for his own interest and dignity to take a share in framing the treaty, than to be permitted to accede to it when made.

November.

Sir Andrew Mitchell soon obtained another interview, when he urged the reasons in favour of the alliance; but still found Frederick inflexible. He thought the proposed compact more likely to disturb than to

Dec. 1.

* These were private instructions to Sir Andrew Mitchell, to be used according to his discretion.

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secure the peace of Europe. Associations of different powers upon a general plan, he observed, are rarely of long duration, and seldom produce any good effect. Circumstances vary so fast, that there is hardly a possibility of making provisions, in a general treaty, for events that may happen. When the storm seems to be rising, and clouds begin to appear, then, and not till then, is the time for uniting together, and concerting measures to ward off the impending danger. As to the peace of Germany being disturbed, he said that, although he made no doubt the French were meditating revenge, to recover the honour they had lately lost in the field, as well as by treaty, the disorder of their affairs would prevent any immediate effort; nor would Germany be the seat of action; they were heartily sick of that country. They could operate more effectually by an attack upon Portugal, in which he had no doubt they would be joined by Spain, as the delay in paying the Manilla ransom proved that country to be desirous of hostility with England. As to any danger to his dominions, he said, "If I am attacked, I am ready to defend myself; you have seen what I can do."

Convinced that His Majesty had not disclosed his real reasons, the ambassador, when the audience had ended, continued in conversation, and the King owned, as a private man, that he would not forget the ill-usage and injustice he had met with from our nation at the time of concluding the last peace. He had great confidence in Lord Chatham; but how could he be assured of his continuance in office? Sir Andrew said he had no doubt on that point, as his Lordship was equally the darling of the King and the people; but these accounts, Frederick observed, did not tally with his intelligence from England.

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Convinced that no good effect could now be derived from this overture, General Conway wrote to the ambassador, that his Prussian Majesty would be troubled with no further applications. "He has chosen his part, and will find that the King can as readily take

“his. When an alliance with Great Britain is next in question, he must probably be at the trouble to signify his desire of it*.”

In this proceeding, the King of Prussia was actuated less by consideration of political propriety and patriotism, than by a rancorous hatred of England, which, to the last days of his life, was never appeased or mitigated. It broke forth on many occasions, and was carried to such an excess, that he styled the whole English nation wretches (*des misérables*). He also participated largely in a feeling, very general on the continent, that our frequent changes of government rendered all dealings with us insecure†. Perhaps another urgent reason for avoiding the treaty proposed, arose from his having formed, with the Empress of Russia, those disgraceful arrangements which afterward brought so much calamity on Poland.

To have carried this great measure would have been a proud triumph to Lord Chatham. He would have met parliament in great glory, if he could have brought before them a treaty of so much importance, as the first fruit of his administration; but the mortification of failure was not soothed by any express message, or particular declaration of kindness from the sovereign who so haughtily and inflexibly resisted his advances.

Lord Chatham's situation at this time was peculiarly distressing; it afforded an affecting, though not a new, lesson to ambition and political intrigue. How he was opposed and how supported in the House of Lords has been shewn. In the House of Commons, it is said, and the fact is justly termed extraordinary and indecent, no member of opposition spoke without

* This information is principally derived from the Mitchell Papers, particularly Letters dated the 1st, 4th, and 21st of August, the 30th of September, the 24th of October, the 4th and 8th of November, and the 6th of December, 1766, and the 2nd of January, 1767, vol. 6810, fo. 52, 67, 74, and 79, and vol. 6821, fo. 51, 180, 192, and 208. See also the Correspondence of Lord Chatham, vol. iii. pp. 29, 46, 48, 66, 77, 79, 82, and 139. It is not improbable that the hope of bringing this affair to a prosperous termination may have had some influence in delaying the assembling of parliament.

† Letter from Mr. Woodford to Sir Andrew Mitchell, 29th July, 1766; Same Papers, vol. 6829.

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Lord Chat-
ham's ill
health.

Feb.

March.

abusing him, and no friend rose to take his part*. This condition was not produced by any overweening opinions entertained by ministers of their own irresistible strength: on the contrary, it was felt that the ability among the leaders would be at least divided, if not embodied against them. They were anxious to acquire the aid of Mr. Burke, whose powers they already fully appreciated; but he would not desert the Marquis of Rockingham, and evaded their proposals; they tried in other quarters, but could not gain the effective aid they required†.

All these circumstances, so new, and so insupportable to the commanding spirit of Lord Chatham, produced violent effects on his constitution. The gout tormented him incessantly, and the agitation of his mind, no less than his corporeal sufferings, impelled him to frequent change of residence. From London he went to Bath; dissatisfied with Bath, he attempted to return to London, but was detained by his disorder at Marlborough; he next retired to Hampstead, but soon disliked that situation, and repurchased his former residence at Hayes. His mind was agitated by passions inimical to his repose, and his spirits were occasionally depressed almost to despondency. He was unable to attend public business; and the other members of the cabinet, considering his health irreparably injured, projected arrangements and adopted measures not only without consulting him, but in direct opposition to his known opinions‡. Such was the situation to which that great minister was reduced, who had recently declared in the cabinet his resolution not to sanction measures which he was not allowed to guide. Such were the consequences of forming what Mr. Burke afterward, with no less wit than truth, described as “a chequered” and speckled administration; a piece of joinery, so

* These are the words of Lord Charlemont, in a Letter to Mr. Flood, 19th of February, 1767; “Qui non defendit alio culpante,” the noble writer justly observes, is scarcely a degree less black than *absentem, qui rodit amicū*. Is it possible that such a man can be friendless? Correspondence, p. 31.

† Lord Chatham's Correspondence, vol. iii. p. 110.

‡ From the Life of Lord Chatham, vol. ii. chapters 32 and 33.

“crossly indented and whimsically dovetailed; a cabinet so variously inlaid; here a bit of black stone, and there a bit of white; patriots and courtiers; King’s friends and republicans; whigs and tories; treacherous friends, and open enemies;—that it was indeed a very curious shew, but utterly unsafe to touch and unsure to stand on.” The same author, pursuing the subject, has observed, “when his Lordship had executed his plan, he had not an inch of ground to stand upon; and when he had accomplished his scheme of administration, he was no longer a minister*.”

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XIII.

1767.

Want of
union in the
cabinet.

The want of union in the cabinet was evident in many of the proceedings in parliament. When the chancellor of the exchequer proposed the land-tax in the committee, he stated it at four shillings in the pound: “A sum,” he said, “necessary for one year longer, to give room for the most brilliant operation of finance ever seen in England; to ensure to us dignity abroad, stability at home, and enable us to enter with advantage into any future war.” The proposition was resisted by the country gentlemen, who contended for the reduction of the land-tax, according to the usual practice in times of peace, to three shillings in the pound, and derided the mighty consequences which were promised to result from the additional shilling, as it would produce only five hundred thousand pounds. Mr. Charles Townshend had not prepared his friends to support his proposition: the new adherents of ministry declared that the land-tax ought to be perpetuated at four shillings; an opinion which was combated with much asperity, and treated as a breach of faith. An amendment, limited to the smaller sum, was moved by Mr. Grenville, and carried by a majority of eighteen†. Thus the chancellor of the exchequer was in a minority on a question of finance: an extraordinary indication of weakness in the cabinet.

The disunion of the ministry was no less perceptible in the affairs of the East India Company, which in

1766.
Dec. 9.
Affairs of
the East India
Company.

* Speech on American Taxation. Burke’s Works, vol. i. p. 564, quarto.

† 206 against 188.

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1767.

pursuance of an intimation to the directors, early occupied the attention of parliament. Their charters, treaties with the country powers, letters, and correspondence with their servants in India; the state of their revenues in Bengal, Bahar, Orissa, and all other places, were required to be laid before the House, together with an account of expenses incurred by government on the Company's behalf. This motion, containing offensive matter, was offensively introduced by Alderman Beckford, to whom, somewhat unhappily, considering his late display, this duty was assigned. Violent debates ensued; a petition being presented from the Company, the order for printing the private correspondence was discharged. This extensive inquiry introduced the discussion of many relative and collateral topics, and, among others, a doubt was suggested concerning the right of the Company to the territories acquired in India. The agitation of this question produced many animated speeches; the interference of the House of Commons was strongly deprecated; it was urged that the difficulty might be solved in the courts below, that house not being by the constitution the interpreter of laws, or the decider of legal rights.

The chancellor of the exchequer declared his disinclination to try the question in the house, and recommended an amicable agreement with the Company. A large party of the proprietors, though strenuous in maintaining their claim to those possessions during the remaining term of their charter, were rather disposed to prevent litigation by a reasonable composition, and prepared proposals for an adjustment of the dispute. When this scheme was agreed to by the directors and presented to the ministry, their want of cordiality occasioned new embarrassments: after the proposals had been delivered to several of them in succession, they declined taking any part in the negotiation out of the house; and a petition was presented to parliament, containing two sets of proposals for a temporary agreement during three years.

May.

20th.

On the basis of one of these proposals, a bill was

framed, binding the Company to pay to government the sum of four hundred thousand pounds a year, by half yearly payments, and to indemnify the nation, should any loss be sustained in consequence of the imposition of certain inland duties, and the allowance of some drawbacks granted at their request. The term, instead of three, was limited to two years, to commence from the first of February, 1767.

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1767.

While this affair was in agitation, the Company proposed, at a general court, an increase of dividend; justifying the measure by the state of their finances, as they would be enabled, before the month of February, to discharge all their debts, and pay the increased annuity*. The ministry, considering this as a dangerous delusion, calculated to renew the fatal effects of the South Sea scheme, sent letters to the directors, recommending the court not to augment the interest until their proposals were fully discussed in parliament. The proprietors, however, slighted the admonition, and declared a dividend for the ensuing half-year, at the rate of twelve and a half per cent.

6th May.
Dividends
increased.

In consequence of this proceeding, bills were brought in for regulating the qualifications of voters in trading companies; and for restraining the making of dividends by the East India Company; by the latter, the recent resolution was rescinded, and no dividend exceeding ten per cent. was to be declared. The Company, alarmed at such an encroachment on their privileges, petitioned the house, and also proposed, if the bill were laid aside, to bind themselves, for the time of their agreement with government, not to extend their dividends beyond the limits indicated. The petition and proposal were equally disregarded, and the bill was sent up to the Lords, where it was no less strenuously opposed. Counsel were heard at the bar, and witnesses examined; the whole strength of the anti-ministerial parties was combined, and on the third reading the minority divided forty-four against fifty-

Regulating
and restrain-
ing bills.

* Short View of the Laws subsisting with respect to the East India Company, 1767, p. 9.

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XIII.

1767.

26th June.
Protest.
Suspension
of the legis-
lature of
New York.
15th June.

nine. A long, learned, and argumentative protest in sixteen articles was entered on the journals, and signed by nineteen peers.

The contumacious conduct of the legislature of New York was deservedly reprobated, and, in the House of Commons, some rigorous coercive measures were proposed; but, at length, it was thought sufficient to frame a law, prohibiting the governor, council, and assembly, from passing or assenting to any legislative act, for any purpose whatever, until the terms of the American mutiny act should be complied with. This bill was ably opposed by Governor Pow-nall, whose arguments were supported by Alderman Beckford, but without effect.

New duties
on exports
to America.

Another proceeding respecting America was at least impolitic, because it tended to revive and give a new direction to those disputes which had compelled the legislature of Great Britain to repeal the stamp act, under circumstances not compatible with the national dignity; this was the imposition of duties on glass, paper, paste-board, white and red lead, painters' colours, and tea, payable on importation into the colonies, to be applied to the purposes specified in the stamp act. The bill also contained a clause for discontinuing the drawback on the exportation of china-ware to this country, and laid some restraints on smuggling. By another statute, all customs and duties payable in America were put under the management of resident commissioners; these acts were not opposed in either house; the right of Great Britain was considered indubitable, and the expediency not liable to objection*.

Commis-
sioners
established.

The principal remaining transactions of this protracted session were, an addition to the stipend of half-pay lieutenants in the navy, the grant of an annuity of eight thousand pounds to each of the King's brothers, the Dukes of York, Gloucester, and Cumberland, and a marriage portion of forty thousand pounds to the Princess Carolina Matilda, queen of Denmark.

* Stedman's History of the American War, vol. i. p. 52.

His Majesty terminated the session with a speech remarkable only for its generality of expression. The houses were thanked for their diligent application to business, for the proofs they had given of affection to him and his family, for their attention to objects of great commercial interest, although it could not be expected that they should have completed their labours, and for the supplies they had granted. No material alteration had happened in the state of foreign affairs, and they were exhorted to convince the people that their grateful sense of the provisions which had been so wisely made for their present happiness and lasting prosperity could no how be so fully expressed, as by a strict observance of that order and regularity which was so essentially necessary to the security of all good government, and to their own real welfare.

Before the prorogation of parliament, the ministry was considered on the eve of dissolution. General Conway declared his resolution to resign when a successor could be nominated, assigning, as a reason, his impatient desire to be again united with his friends, and reluctance in continuing opposed to them. Lord Northington announced a similar determination, alleging that want of health disabled him from attending public business. In consequence of these intimations, the King wrote to Lord Chatham, requiring his advice and assistance; but his Lordship, by a verbal answer, excused himself from interfering in any new arrangement, as his health was too much impaired for exertion.

The parties in opposition, knowing these facts, entertained hopes of a speedy and total change. The Duke of Newcastle, anxious to prevent the effect of separate overtures, strenuously endeavoured to cement the union between the Bedford and Rockingham parties. An offer was made from the Duke of Grafton to the Marquis of Rockingham; but he declined entering into any negotiation without the advice of his friends. The leaders of opposition held a meeting, to prepare arrangements; but, as they could not agree in some essential nominations, the conference terminated

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1767.
July 2.

Attempts to
form minis-
terial arrange-
ments.

July.

20th July.

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1767.

abruptly ; and although renewed on a subsequent day, as none would recede from their former opinions, the parties again separated, and the ministry retained their situations.

The inflexibility thus displayed rendered it impossible for the King to employ either the Duke of Bedford or the Marquis of Rockingham ; for they had refused to accept official situations separately, and could not agree on such terms as might enable them to act together. The ministry, finding that no conditions they could offer would enable them to acquire strength by a junction with their opponents, were obliged to conduct the public business unassisted.

Projects and
death of
Charles
Townshend.

Lord Chatham's health was now deemed irrecoverable ; and, in fact, the ministry were neither benefited by his advice, nor supported by his popularity. They wanted a distinguished leader, of talents, character, and reputation, who could give efficacy to their measures, and by his superior powers enchain those minor pretenders who, in the absence of such a chief, disdained submission and embroiled the cabinet. The Chancellor of the Exchequer, who had before entertained these views, projected a new administration, of which he should be the leader. His talents were sufficient to justify the intention ; and he could have united a body more respectable, competent, and capable of cordial and beneficial co-operation, than those who were at the helm. Under him, the ministry would have assumed, at least, a more decided character, and the public would no longer have felt that they retained their situations merely by the want of union in their adversaries, and stood chiefly by their own weakness. He obtained for his brother, Lord Townshend, the vice-royalty of Ireland, designated Mr. Yorke, son of the late Lord Hardwicke, for chancellor, and probably had made other appointments, when his life was unexpectedly terminated by a putrid fever.

4th Sept.

His character.

Charles Townshend was descended from Charles Viscount Townshend, the able and upright minister of the house of Brunswick. He passed through the schools with distinguished reputation, and was cele-

brated for that pointed and finished wit which rendered him the delight and ornament of parliament, and the charm of private society. In his speeches, he brought together, in a short compass, all that was necessary to establish, to illustrate, and to decorate the side of the question which he supported. He stated his matter skilfully and powerfully; his style of argument was neither trite and vulgar, nor subtle and abstruse. He excelled in a most luminous explanation and display of his subject*. His defects arose from his lively talents and exquisite penetration: he readily perceived and decried the errors of his coadjutors; and, from the versatility of his political conduct, acquired the nickname of the weather-cock. He sat in parliament twenty years, and successively filled the places of lord of trade and of the Admiralty, secretary at war, paymaster of the forces, and chancellor of the exchequer; in which offices he executed business with accuracy and dispatch, demonstrating that genius and industry are not incompatible. He was carried off in the meridian of life, at the age of forty-two, at a time when it might be hoped his lively talents were matured by experience, and the irregular sallies of his versatile temper subjected to the restraints of judgment.

This event renewed the difficulty of effecting a ministerial arrangement: the chancellorship of the exchequer was filled, *ad interim*, by Lord Mansfield†. It was tendered to Lord North, who, for reasons not precisely known, declined accepting it. The offer was subsequently made to Lord Barrington, who had filled the station, with distinguished ability, under the administration of the Duke of Newcastle, during a period

12th Sept.

* Burke's Works, vol. i. p. 566. Mr. Flood, speaking of him in comparison with Colonel Barré, General Conway, and some other eminent characters in the house, says, "He is the orator; the rest are speakers." Charlemont Correspondence, p. 27.

† This fact is true in terms; but wholly unimportant. When I first produced these volumes, I did not know, but was long ago informed, that the appointment had no relation to the political functions of the Chancellor of the Exchequer, but is usually, in similar cases, confided to the Lord Chief Justice of the Court of King's Bench, merely for the purpose of giving a legal head to the Court of Exchequer; a person to whom bills and petitions may formally be addressed. I should have suppressed this passage without an observation, but I have reason to believe that it has occasioned some mistakes in other writers.

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1767.

1st Dec.

Lord North
Chancellor of
the Exche-
quer.
His charac-
ter.

of no inconsiderable difficulty. Although he declared that Lord North's parliamentary talents were more equal to it, he expressed his readiness to undertake the office, if a renewed application to him should fail. A negotiation was attempted with the Duke of Bedford, but without effect; and at length Lord North was prevailed on to accept the office*.

Lord North, eldest son of Francis, Earl of Guilford, was in the thirty-sixth year of his age: he commenced his education at Eton, and completed it at Oxford, with considerable reputation for his proficiency in classical literature. His elegant taste as a scholar was eminent through a life fully occupied with most momentous public concerns. On his travels, he applied assiduously to the acquisition of diplomatic knowledge, and studied the Germanic constitution under the celebrated Mascove. He commenced his parliamentary career in 1754, and, during Mr. Pitt's administration in 1759, obtained a seat at the treasury board: he was removed by the Rockingham ministry in 1765; but, with Lord Chatham, came again into office as joint paymaster of the forces. His talents and experience eminently qualified him for the important post he was now called upon to fill. His abilities for debate were universally acknowledged, and had been advantageously displayed in the motions against Wilkes, and in the discussion on India affairs.

5th Dec.
Grafton ad-
ministration.
20th Jan.
1768.

Mr. Thomas Townshend succeeded Lord North as paymaster, and Mr. Jenkinson was appointed a lord of the treasury: Lord Northington and General Conway resigning, Lord Gower was made president of the council, Lord Weymouth secretary of state, and Lord Sandwich joint postmaster-general. These promotions indicated an accommodation between the ministry and the Bedford party; and the cabinet was further strengthened by the appointment of Lord Hillsborough to the office of secretary of state for America. The ministry, thus modelled, was called the Duke of Grafton's administration; for, although Lord Chatham still

February.
March.

* From private information. Also Lord Barrington's Memoirs, p. 104.

retained his place, he was incapable of transacting business; in consequence of which, the privy seal was for a short time put in commission, although it was afterward restored to him.

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1768.

These changes were effected during the sitting of parliament; but, as the King, on the first day of the session, announced that they were called together merely to transact the urgent public business, that a dissolution might take place at a time not inconvenient to the people, no affairs of importance were agitated. The speech principally recommended to attention the relief of the poor, still suffering from the high price of provisions, particularly of corn; and an act was passed similar to that of the preceding session, prohibiting the export and encouraging the importation of grain.

24th Nov.
1767.
Meeting of
parliament.

Restraint on
grain.

The act of the last session, restraining the dividends of the East India Company, being expired, was renewed. The Company resisted this interference by a petition. As a chartered body, they claimed exemption from such authority; and, as British subjects, demanded relief from a restraint which, if urged as a precedent, would affect all the public and private property in the kingdom. The bill, however, was sanctioned in the House of Commons by a great majority, and in the House of Lords, notwithstanding a vehement opposition, which produced a long protest, signed by eleven peers.

Restriction of
dividends
on East India
stock.
15th Jan.
1768.

8th Feb.
Protest.

In this session, a motion was made by Sir George Savile to bring in a bill for quieting the possessions of the subject, and for amending and rendering more effectual an act, passed in the twenty-first year of James I., for the general quiet of the subject against all pretences of concealment whatever. The intended law, commonly denominated the *Nullum Tempus* bill, was rejected, after a violent debate, by a majority of twenty only*; and, as the occasion and nature of the motion excited a considerable share of interest, a succinct account is given of the transactions by which it was produced.

17th.
Nullum
Tempus
bill.

Rejected.

* 134 against 114.

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1767.

Occasion of
the motion.

9th July.

7th August.

2nd Sept.

8th October.

9th.

10th.

20th.

2nd Dec.

The Portland family, in consequence of a grant made by William III. to their illustrious ancestor of the honour of Penrith, in the county of Cumberland, *with the appurtenances*, had been about seventy years in possession of the forest of Inglewood, and the socage of the castle of Carlisle, the value of which is stated at about thirty thousand pounds, or one thousand pounds a year. Sir James Lowther, conceiving these premises not to be included in the terms of the grant, presented a memorial to the treasury, praying a lease of His Majesty's interest therein, for three lives, on such terms as should be thought proper. The surveyor-general, to whom the memorial was referred, reported, as his opinion, that the Duke's title did not extend to the subject in question, and recommended that the grant of a lease, at a reserved rent of fifty pounds per annum for the socage of Carlisle, and thirteen shillings and four-pence for the forest, and a third of the rent of such lands and hereditaments in either place as Sir James should recover. This demise was supposed to be in conformity to the civil-list act.

The Duke received no official notice of these proceedings; but, when informed of them, entered caveats in the proper offices, and requested the treasury board to postpone the consideration of the memorial, and allow him to be heard by counsel.

In answer, the secretary of the treasury notified to his Grace that his claim would be referred to the surveyor-general, who would at the same time be instructed to revise the report on the memorial; and the Duke was assured no further proceedings should be adopted until his title had been stated, referred to, and reported on by the proper officer, and fully and maturely examined by the treasury board. The Duke's agents proceeded in their researches after documents to support his title, and to invalidate the report of the surveyor-general; for which purpose they deemed it necessary to obtain an inspection of certain deeds or evidences in the surveyor's office; but this was peremptorily refused. His Grace presented a memorial to the treasury, by which, in regard that all public

records ought to be inspected for the benefit of the parties interested, the lords of the treasury were prayed to direct the surveyor-general to permit the Duke's agents to inspect, and take copies, if necessary, of all the surveyor's court-rolls, and other muniments and writings in his custody, relative to the matters in question.

Their lordships granted his request as to the inspection, not as a right, but as a matter of candour and civility. When the surveyor-general was informed of the permission thus given, he stated to the board, that the surveys and evidences in his custody were not public records, but kept there for the King's use only; that permitting the King's deeds and evidences to be inspected by agents of persons who avowedly intended to contest the rights of the Crown, would be a bad precedent, and might be detrimental to His Majesty's interests on future occasions. He added, that, in his judgment, the shortest way would be to try the right of the Crown, which Sir James Lowther was ready to do at his own expense, if the board would grant him the requested lease. In consequence of this letter, the treasury, notwithstanding the caveats which had been entered, passed the grant to Sir James, and then apprized the Duke of its being done.

22nd Dec.

This lease being considered as an affair of party, all the vehemence of party was exercised in discussing it*. The Duke's friends contended that the grant made by William III. comprised, in its general terms, the premises now leased to Sir James Lowther, or, if not, that length of possession ought, as in the case of private individuals, to be a bar against all questions of title. The unpopularity, tyranny, and danger, of resurrections by the Crown, were strongly urged; and the ministry were accused of attempting to revive that odious maxim, *nullum tempus occurrit regi*.

On the other side, it was argued, that the general words in the grant did not convey any thing more than

* Much rancour was displayed in attributing the grant to the influence and exertions of the Earl of Bute in favour of Sir James Lowther, who was his son-in-law.

was exactly described, with its obvious and necessary appurtenances. That, even admitting King William's right to grant estates in fee simple to the prejudice of his successors, still such grants ought to be read with great strictness, and not in a manner so loose as to permit an estate of a thousand pounds a year to pass in mere general terms. The length of possession, it was said, instead of being an argument in the Duke's favour, presented an instance of the moderation of government, who were content merely to try a claim to a valuable estate, without entering into a question respecting the arrears incurred by seventy years' possession, amounting at least to seventy thousand pounds.

These arguments do not appear satisfactory: it is obvious that there was a disposition in the ministry to gratify Sir James Lowther at the expense of the Duke of Portland; and, in that view, the transaction was not honourable either to the ministry or to the person preferred. The length of possession, if not a sufficient bar to every claim, ought at least to have procured for the possessor a refusal of the lease on equitable terms; and, on the whole, it was unbecoming the dignity of government to enter into such a contest with a subject. The property was not of sufficient value to afford an excuse for impelling the Sovereign to appear in his own courts as suitor against the descendant of a man whose zeal in establishing the Protestant succession, though liberally, was not superabundantly rewarded.

The repeated complaints of the Duke's friends that he was ill-treated and trifled with by the officers of government, seem void of foundation. They did their duty with candour, temper, and propriety. Still less credit attaches to the assertion that the motive of passing the grant was to secure an influence at the ensuing general election: the estate was not of sufficient importance to affect, in any great degree, a county contest; and as the grant was avowedly expedited for the mere purpose of preventing the claim from being argued in council, where it could not be legally de-

cided, the transfer could not be attended with quiet possession, so as to give the supposed influence*.

After the supplies and some private bills had passed, the King closed the session, thanking parliament for their signal proofs of affectionate attachment to his person, family, and government, faithful attention to the public service, and earnest zeal for the preservation of our excellent constitution.

Two days afterward the parliament was dissolved by proclamation.

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1768.

10th March.
Prorogation.

12th March.
Dissolution of
parliament.

* These facts are taken from "The Case of the Duke of Portland respecting two Leases lately granted to Sir James Lowther;" "A Reply to the Case of the Duke of Portland," and "Observations on the Power of Alienation in the Crown."

CHAPTER THE FOURTEENTH.

1767—1768.

State of Europe.—Power of the Jesuits.—Their expulsion from Spain and Naples—and final suppression.—Reception in Prussia.—State of France.—Seizure of Avignon.—War in Corsica—the island subdued by the French.—War between the Turks and Russians.—Affairs of America.—Exertions against the new taxes.—Disputes between the governor and legislature of Massachusetts's Bay.—Proceedings of the assembly—their circular letter.—Libel on the governor.—Prorogation of the assembly—their inflexibility—and dissolution.—Temper of the people.—Seizure of Hancock's sloop.—Town meetings.—Convention.—Arrival of the troops.—Tranquillity of New York.—Affairs of Ireland.—Brief retrospect.—The Lord Lieutenant obliged to resign. Lord Townshend appointed.—Efforts of the people to alter the constitution of parliament.—An octennial bill is at length passed, and receives the Royal sanction.

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XIV.

1767.

State of
Europe.Power of
the Jesuits.

ALTHOUGH the continent of Europe was at this period nurturing the principles which have since produced tremendous changes, no transaction yet appeared to interfere with the welfare or tranquillity of Great Britain.

The event which most immediately affected the interests of mankind was the fall of the Jesuits. That body, by their learning, activity, intrigue, and federal union, had acquired unlimited authority in all Catholic countries; they regulated the consciences of crowned heads; at their suggestions treaties were confirmed or broken, and war or peace prevailed. Their influence extended to all parts; as preceptors they had the advantage of discerning, and giving an inflexion to the

tempers, passions, and habits of youth ; of acquiring an unlimited ascendancy over the mind ; of enslaving the timid, restraining the proud, and bending even the energies of courage and virtue to their own peculiar views. Their orders, and many regulations of their society, were an inscrutable mystery ; but so speedy was their intelligence, and so prompt their communication, that they seemed everywhere to be the first apprized of occurrences, and earliest and most abundantly benefited by them. Their activity and influence over the timid and superstitious threw enormous wealth into their hands, and their ambition was supposed equal to their power. From their first establishment as an order, they were occasionally regarded with suspicion and inquietude, and already several principal powers in Europe had expelled them, as a body dangerous to government*. In some countries, intrigue, superstition, or fear, had procured their re-admission ; but the present period was marked for their total expulsion and suppression. De Choiseul, the French minister, conceived this great project, in which he was animated by political considerations, and by an attachment to the modern systems of free-thinking philosophers. Aided by the parliaments, he deprived them of all their schools and establishments, and finally procured, in 1764, a suppression of their order in France, although the members were still permitted to reside as individuals, conforming to the spiritual and civil ordinances of the realm.

In Spain and the transatlantic dominions of that country, their influence was most extensive, and, from the bigoted attachment of the Spaniards to their religion, and to the Jesuits in particular, their establishment was deemed perfectly secure, and their government as permanent and efficient as that of the King himself. Yet, in the midst of this security, and without any previous indication of jealousy or displeasure,

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1767.

Their expulsion from Spain.

* They were expelled from France in 1594, but re-established in 1603 ; from England in 1604, from Venice in 1606, and from Portugal in 1759 ; under pretence of having instigated the families of Tavora and D'Aveiro to assassinate King Joseph I.

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1767.

their ruin was effected. This measure was planned by De Choiseul, and conducted by means of the Marquis D'Ossun, the French ambassador at Madrid, who concerted his measures with the King, and the Count D'Aranda his prime minister.

31st March.

The execution of the design was sudden and decisive; at midnight, large bodies of the military surrounded the six colleges of the Jesuits in Madrid, forced the gates, secured the bells, and, placing a sentry at the door of each cell, commanded the fathers to rise, summoned them into the refectory, and read the King's order for instant transportation. The royal seal was put on all their effects, except a few necessities which they were permitted to carry away. All the hired coaches and chaises in Madrid, together with several waggons, being engaged and distributed in proper places, their journey toward Carthagena immediately began. The inhabitants of the capital, in the morning, learned the intelligence with surprise and consternation, but had not the power, if they had inclination, to interfere in preventing the execution of the King's command.

3rd April.

Three days afterward, the Jesuits' college in Barcelona was surrounded, and the members transported with circumstances exactly similar. The same measures were adopted, at the same hour, in every part of the kingdom; ships were provided in the different seaports for carrying the Jesuits to the ecclesiastical state; and the most effectual means were adopted for preventing any communication with the King's foreign dominions. The royal ordinance for the expulsion of the Jesuits was then published, by which all their property was confiscated; a small pension was assigned to each individual, payable only while he resided in a place appointed, and abstained from offence in his writings and conduct; and the misdemeanor of one was declared sufficient to subject the whole body to a forfeiture of their stipends. The King's subjects were forbidden, under penalties of high treason, to correspond with the Jesuits; they were enjoined to observe strict silence, and not to write, declaim, or make any

movement for or against these measures. The same regulations extended to the Indies, where a similar seizure and expulsion took place, and an immense property was acquired by government.

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1767.

All men were surprised at the secrecy and rigour of this transaction, and were therefore prepared to receive and credit any accounts which might be given of the motives of the Spanish court. Extensive projects and dangerous machinations were imputed to the Jesuits, and all the dread and jealousy which other nations entertained of their malignity and influence were exerted in finding the causes of their unexpected downfall. It was currently believed that they had fomented, and perhaps excited, a dangerous popular insurrection, which the year before had agitated the capital, and compelled the King to dismiss his ministers*.

But whether the crimes or intentions imputed to the Jesuits were founded on fact, or the mere suggestions of a party inimical, not only to their establishment as a body, but to the Christian religion in general, their sufferings entitle them, as men, to commiseration. The horror of being suddenly torn from their homes, and all their social connexions, was augmented by the terrors of an uncertain destination, and the anticipation of an unwelcome reception. Men who were, for the greater part, advanced in years, all of them used to the indulgences of an honourable situation, and to the ease of a sedentary life, were now reduced to the allowance and treatment of soldiers in transports. When they arrived before Civita Vecchia, Pope Clement XIII. prohibited their landing in his dominions; and they were obliged to await fresh orders from Spain. A negotiation was opened with the republic of Genoa for permission to land them in Corsica: before the treaty was concluded, the Spanish admiral received orders to sail for the port of Bastia; but the Corsican governor would not suffer them to disembark. At length the sanction of the Genoese government was obtained; the transports were ordered to the ports of

III treatment.

22nd May.

* A lively account of this insurrection is given by Lord Orford. Works, vol. v. pp. 130, 132.

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8th June.
They are ex-
pelled from
Naples; and
the order
suppressed.

Calvi, Algaiola, and Ajaccio; and the surviving Jesuits, amounting to two thousand three hundred, were put on shore.

The example of the King of Spain was immediately followed by his son Ferdinand VI., King of Naples, and afterwards by Parma: and in 1773 the order was suppressed by Clement XIV., who was elevated to the papacy on that express condition.

Although, by a resolute exertion of the civil power, this formidable society was thus reduced, there is great reason to doubt that the strength of the European governments was augmented by their fall. If they were really guilty of dangerous and treasonable designs, sufficient means were not wanting, especially in arbitrary monarchies, to punish the guilty and disperse their adherents. Even the whole order might have been reformed, their wealth diminished, their power abridged, and their numbers reduced. But the destruction of a society which included so much learning and ability, and respectable from connexions and able publications in literature and theology, diminished the general credit of the established religion, and gave new spirit to those who already meditated the destruction both of Christianity and monarchy.

Their recep-
tion in
Prussia.

The sequel, although not chronologically connected with this period, is given here, as it will not be necessary to return to the subject. In order to please the court of Rome, the King of Prussia permitted the Pope's brief against the Jesuits to be received in his dominions; but he left them in possession of all their establishments and institutions, and received many who had been obliged to fly from other countries; thus affording them not only an asylum from the present storm, but also the means of perpetuating their order, with hopes, in more favourable times, of recovering their power and influence. For this proceeding, he alleged the treaty of Breslaw, by which he had guaranteed the religion of Silesia as it then was; he considered the Jesuits to be a part; and, as he was a heretic, he did not conceive that the Pope could grant him a dispensation for breaking his word, or for deviating from the duty of

an honest man, or of a good sovereign. "Why," he is reported to have said, "have the sovereigns of Europe abolished those depositaries of the lore of Rome and Athens, those excellent professors of the humanities, and perhaps I might add, of humanity; those late revered Fathers? Education will lose by this. But as my brothers, the Catholic Kings, and most Christian and most faithful and apostolic Kings, have all driven them out, I, who am most heretic, collect as many of them as I can; and, perhaps, some day, they will pay court to me, to get some of them. I keep up the race*."

France was in a state of the greatest political and moral depravity. The King, immersed in sensual enjoyment, neglected the affairs of government; the kingdom was ruled by his mistresses and ministers. The parliaments impeded the exertions of government by cavils and contests, in which the sole aim was to acquire undue authority. The treasury was empty, although injudicious taxes oppressed the people; and famine was felt in many parts of the country. Yet France was the centre of dissipation and infidelity. Already a sect of pretended philosophers had obtained an extensive influence; who, avowing war against popery, aimed at the subversion of all religion, and the destruction of regal power†. The government

State of
France.

* Lord Dover's Life of Frederick II., vol. ii. pp. 385 to 388, and the authorities there quoted.

† A Letter from Horatio Walpole, afterwards Earl of Orford, to General Conway, dated the 28th of October, 1765, contains full, explicit, and undeniable evidence on this subject:—"The Dauphin," he says, "will probably hold out a few days. His death, that is, the near prospect of it, fills the philosophers with the greatest joy, as it was feared he would endeavour the restoration of the Jesuits. You will think the sentiments of the philosophers very odd state news—but do you know who the philosophers are, or what the term means here? In the first place, it comprehends almost every body; and in the next, means men, *who, avowing war against popery, aim, many of them, at a subversion of all religion, and still many more at the destruction of regal power.* How do you know this? you will say; you who have been but six weeks in France, three of which you have been confined to your chamber? True; but in the first period I went every where, and heard nothing else; in the latter, I have been extremely visited, and have had long and explicit conversations with many who think as I tell you; and with a few of the other side, who are no less persuaded that there are such intentions. In particular, I had two officers with me the other night, neither of them young, whom I had difficulty to keep from a serious quarrel; and who, in the heat of the dispute, informed me of much more than I could have learnt with great pains."—Lord Orford's Works, vol. v. p. 122.

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Seizure of
Avignon.War in
Corsica.

was insensible of the approaching danger; and Choiseul, intent on schemes of conquest, and augmentation of territory, wanted only a well-replenished treasury to embroil all Europe*. But the finances were fatally deranged; the East India Company bankrupt, and the creditors of state anxious, dissatisfied, and alarmed.

Restrained from entering into extensive wars, the French took advantage of the still greater weakness of the Pope, and seized on his dominions in Avignon, and the Venaissin, without the slightest claim of right.

The island of Corsica also offered temptation to their ambition. Oppressed by the Genoese, the people of that isle had long signalized themselves by an obstinate and often well-conducted resistance. Under the government of Pascal Paoli, whom they elected general of the island in 1755, they made still more respectable exertions: their improvements in civilization bore some proportion to their increased energy in arms; and they became so formidable, that the Genoese, despairing of achieving a conquest, sought, in 1761, to lure them into their pristine subjection, by a conciliatory manifesto. This also failed in its effect; the Corsicans came to a resolution never to make any agreement with the republic, until their liberties and independency were acknowledged and secured; and published a memorial to the nations of Europe, calling on them, by the rights of humanity, to interpose and give peace to a nation which had made such conspicuous exertions in the cause of freedom. This application procured them no assistance; and even the British ministry, at the peace, issued a proclamation forbidding the King's subjects from affording succour to the Corsican rebels. This harsh appellation hurt the feelings of Paoli, who said, "He did not expect that from Great Britain;" but the ministry acted wisely in not interfering between another nation and its dependency.

The Corsican general, without foreign aid, had

* Œuvres du Roi de Prusse, vol. iv. p. 181.

nearly completed the emancipation of his country when, in 1764, France concluded a treaty with Genoa, and sent six battalions of troops to garrison the fortified towns for four years, who, being enjoined to act only on the defensive, were not opposed, but kindly received by the islanders. The Comte de Marbœuf, their commander, behaved with mildness and moderation; he carefully preserved the towns entrusted to his charge, but committed no injuries against the inhabitants; and Paoli, restrained from making active war, employed this interval in cultivating the arts of peace, and strengthening himself for future contests*.

Unfortunately, the Corsicans were not unanimous among themselves. A party, headed by two brothers named Abbattucci, was in considerable force on one side of the island, and carried on open war against Paoli†. When the end of the four years approached, the French minister appeared desirous to terminate the differences between the Genoese and the Corsicans. He drew up propositions, which were approved of by Paoli, and calculated to preserve the liberty of the islanders, without derogating from the dignity of the senate of Genoa.

While this negotiation was yet pending, the Spanish Jesuits were, by the consent of the Genoese, landed in Corsica. The French minister, anxious for the destruction of the order, appeared offended, and withdrew the troops from the ports into which the Jesuits were admitted. Paoli, disposed to derive advantage from the retreat of the French, immediately possessed himself of the places which they had evacuated; but the minister requested him to desist from hostilities, and consider those places in a state of neutrality, as if garrisoned by the French, till the expiration of the four years, when the troops should be withdrawn from the island; and promised, if a peace was not at that time concluded, the Corsicans should be at full liberty to assert their rights.

Notwithstanding these explicit avowals of Corsi-

1768.
Mar. 15.

* Boswell's Account of Corsica, chap. 2.

† Life of Dumouriez, vol. i. chap. 3.

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can independence, the French government purchased the island from the republic of Genoa, although the natives claimed, and had an undubitable right, to be considered as independent, and had been acknowledged so by the power which now became the purchaser.

This measure, unpopular even in France, was expected to produce much opposition in Europe; but the arrangements made by Choiseul prevented hostilities. Great Britain and Sardinia were the principal powers who interested themselves in the subject; but representations to the cabinet of St. James's induced them, although they expressly disapproved of the transfer, to abstain from opposing its completion*; and Sardinia was too feeble singly to oppose France†.

The Corsicans, when informed of the sale, held a general meeting, and swore to defend their liberties to the utmost extremity; but this generous resolution, though maintained with spirit, did not avail. The French brought against them an army of thirty thousand men. They were defeated in many encounters, and, after a gallant resistance, the whole island was overrun: Paoli, deserted by a great number of his followers, was obliged to consult his safety by flight. He embarked on board an English ship at Porto Vecchio, landed at Leghorn, crossed the continent, being received every where with tokens of great admiration, both by the people and their princes, and finally reached London, where his necessities were relieved by a pension‡.

Meanwhile war raged between Russia and the Porte; but the events in no degree affected, for the present, the interests of England. Russia began to display unlimited power in Poland, and those measures were arranged between the King of Prussia and the Empress which led to the subsequent dismemberment

22nd Sept.
1769.War between
Russia and the
Porte.

* Mitchell Papers, No. 6822, folio 60.

† Life of Dumouriez, vol. i. p. 109.

‡ Life of Dumouriez, vol. i. chap. v. and vi. Description of Corsica, &c. &c. by Frederick, son of the late Theodore, King of Corsica. In the Memoirs dictated to Count Montholon at St. Helena (vol. iv. p. 29, English translation), is a very spirited account of Corsica and all these transactions, well deserving attention.

of the country*. There is no reason to doubt that the connexion between these two powers, formed and cemented for this purpose, influenced the conduct of both toward other nations; but their projects were cautiously concealed; vigilant and well-informed ministers, both at Berlin and Vienna, expressed a perfect conviction that neither the Empress nor the King of Prussia had any dangerous intentions; and the court of Vienna tranquillized a jealousy which at first it had entertained, and relapsed into perfect security†.

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If these transactions appeared of small importance to the welfare of Great Britain, the state of her colonies became daily more and more embarrassing and alarming. When the ministry brought into parliament the act for laying duties on certain articles of commerce exported to America, they could not foresee objections to the right. The authority of the British parliament to impose what they deemed external taxes, was generally admitted‡; and, if the inflamed state of the public mind in America, and the triumphant confidence resulting from the successful opposition to the stamp act, rendered it impolitic, the legality was unquestioned. But the Americans were not disposed to concede the minutest objection in favour of the mother-country. The inclination to controversy imbibed during the discussion of the former question, and the systems then first promulgated, raised an insuperable barrier to the reception of any new measure tending to benefit Great Britain at the expense of the colonists.

Affairs of
America.

On the first intelligence of the taxes imposed by parliament, the American press teemed with invective against the system, and the ministry by whom it was recommended. It was represented as originating in a pernicious and illegal resolution to reduce the Americans to abject slavery and distress. These writings, though not abounding in eloquence and wit, were not

Exertions
against the
new taxes.

* Œuvres du Roi de Prusse, vol. iv. p. 167, et seq.

† Letter from Sir Andrew Mitchell to General Conway, and from Mr. Langlois to Sir Andrew Mitchell: Papers, No. 6819, p. 117, and No. 6828, fo. 210.

‡ Even Dr. Franklin admitted this principle in its fullest latitude, and seemed to make the establishment of a distinction between the right of internal and external taxation the strongest point on which the Americans founded their claim of relief from the stamp act. See his examination already quoted.

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In Massa-
chusetts's
Bay.Disputes be-
tween the
legislature
and the go-
vernor.28th Oct.
Non-impor-
tation
agreements.30th Dec.
Proceedings
of the gene-
ral court.12th Jan.
1768.

so despicable as to justify total negligence: they daily filled the pages of American newspapers, while no writer was sufficiently hardy or sufficiently interested to espouse the contrary opinion.

The province of Massachusetts's Bay took the lead in opposing the measures of government. The meeting of the first congress had done irreparable injury to the British dominion, by enabling the various provinces of America to unite in opinion and conduct, by making the grievances of any single province a common cause, and thus obliging the loyal or the timid to relinquish the dictates of their own judgment or disposition, for fear of the rebellious and turbulent.

The untameable republicans of Massachusetts's Bay soon engaged in a system which impelled the other colonies to join them in open resistance. Sir Francis Bernard, their governor, was held in great dislike, for his vigorous efforts to support the orders of government; he was represented as exceeding the authorities with which he was invested, and treating the public and the legislative bodies with insupportable haughtiness; and he irreparably offended the violent party, by refusing to confirm the election of some persons whom he deemed unfit to be members of the council. His refusal was justified by the colonial charter; but the exercise of this privilege was peculiarly offensive.

When intelligence of the new tax laws was received, the people assembled at the town-hall in Boston, and entered into associations to encourage the manufactures of America, and desist from the use and importation of British luxuries.

Governor Bernard found it necessary to convene the legislature earlier than he intended. Having received information, from the speaker of the assembly, that remonstrances against the late acts were in contemplation, he was prepared to expect a session replete with turbulence and disaffection. The first eighteen days were consumed in drawing up these remonstrances; and a long letter was written to Mr. de Berdt, the colonial agent in England, instructing him to controvert the obnoxious acts on every ground of

right and policy. The legislature also prepared a petition to the King, in which they claimed, as rights of British subjects, an exemption from taxation, unless they were represented in parliament, which at the same time they stated to be impossible. They also wrote to Lord Shelburne, the Marquis of Rockingham, General Conway, Lords Camden and Chatham, and to the lords of the Treasury; all these letters, although varied, according to the circumstances and situation of the parties to whom they were addressed, spoke but one sentiment, dissatisfaction at the late measures, and a determined spirit of resistance.

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1768.
20th.

Another proceeding of the assembly was still more important in its consequences. A circular letter was addressed to the speakers of the houses of assembly throughout the continent, complaining of all the late acts, urging a strenuous opposition, and inviting them to communicate such advice as they should think judicious. This letter, conceived in moderate and impressive terms, produced great effect; all jealousy between the different legislatures immediately subsided; the candour evinced by an independent body, in requesting the sanction and advice of their fellows, quieted suspicion, and made many of the assemblies firm adherents to their cause. Several of the speakers*, by direction of the bodies over which they presided, united in opinion with the assembly of Massachusetts Bay; and their sentiments gained ground in all parts of the continent.

11th Feb.
Their circular
letter.

While these matters were under discussion, a topic of dispute occurred between the assembly and the governor. In consequence of Sir Francis Bernard's refusal to confirm the nomination of members of the council, Lord Shelburne, Secretary of State, expressed high approbation of his conduct, with many reproaches against the spirit exhibited by the legislature. This letter the governor communicated to the assembly, but only permitted it to be read by the clerk, and would

Dispute re-
specting Lord
Shelburne's
letter.

* Virginia, New Jersey, Connecticut, Georgia, and Maryland.

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13th Feb.

16th.

18th.

23rd.

29th Feb.
Libel on the
governor.

3rd March.

not suffer a copy to be entered on the journals. The house, dissatisfied with this proceeding, and anxious to obtain documents which might inflame the popular resentment against Sir Francis, required a copy, and also his own letters to which it referred. The governor, in a laconic answer, declined compliance; the assembly, persevering, strenuously reiterated their demand; and this message, which referred to and cited, from the memory of the writers, some passages of the Secretary of State's letter, was printed, by permission of the assembly, in a newspaper. It now became unnecessary for the governor any longer to refuse a communication of the original; it was therefore transmitted with a short indignant message, and entered on the journals. The assembly wrote to Lord Shelburne, animadverting on it with great asperity, and treated the conduct of Sir Francis Bernard, which had been approved by the Secretary of State, as an abuse, or at least, an unwarrantable exercise of his authority.

The efforts used to render the governor's situation insupportable were not confined to the house of assembly. A virulent incendiary letter was published in the Boston Gazette, upbraiding him in the coarsest terms with his conduct toward the colony, and particularly with his supposed letters to Lord Shelburne, by which the Secretary of State had been influenced to censure the legislature. This flagrant insult appearing to endanger the safety of government, called for the immediate interposition of the legislative body. Sir Francis communicated the libel, and required advice. The council returned a loyal address, reprobating the publication and its author, and declaring their readiness to concur in any measures which the majesty of the King, and the dignity of his government, the honour of the council, and the true interest of the province, should require. The assembly, on the contrary, alleged that, as no particular person, public or private, was *named*, the publication did not affect the majesty of the King, the dignity of the government, the honour of the general court, or the true interests

of the province ; and thought themselves justified in taking no further notice of it*.

The next day, the governor, in a speech of considerable length, reprobated their conduct on many points from the beginning of the session, particularly their animadversions on Lord Shelburne's letter, and permitting their proceedings to be published in newspapers ; he vindicated his own character and conduct, and having expressed a determination to persevere in the same course, prorogued the court till the thirteenth of April.

The conduct of the assembly of Massachusetts Bay, in sending a circular letter to the other provinces, was highly resented by the ministry. They considered it as tending to create unwarrantable combinations, to excite an unjustifiable opposition to the constitutional authority of parliament, and to revive those unhappy divisions and distractions which had operated so prejudicially to the true interests of Great Britain and the colonies. Lord Hillsborough, Secretary of State for America, wrote to the governor, expressing these sentiments, and requiring that the resolutions which gave rise to the obnoxious letter should be rescinded. To afford the assembly an opportunity of complying without injury to their feelings, the Secretary of State considered the measure as obtained by surprise, and contrary to the real sense of the majority ; but, in conclusion, Sir Francis Bernard was directed, if they declined rescinding the resolutions, to dissolve the body, and send an account of their proceedings to be laid before parliament.

Sir Francis transmitted a copy of this letter to the assembly, omitting the latter part, to obviate the imputation of using threats. The members, however, demanded a more complete communication ; and the governor, in complying with their request, informed them of his determination, if they disobeyed the King's commands, to fulfil his instructions. The as-

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1768.
4th March.
Prorogation
of the as-
sembly.

Instructions
from the Se-
cretary of
State to the
governor.

22nd April.

21st June.
Proceedings
on the sub-
ject.
23rd.
24th.

28th June.

* The public agreed in this opinion ; for when the libel was afterward presented to the grand jury, they refused to find the bill. The libeller, encouraged by impunity, renewed his attack with increased acrimony.

CHAP. XIV.	sembly not returning an answer to this declaration, he sent a message, desiring they would come to some resolution on His Majesty's requisition, and intimated that he should consider a much longer delay as amounting to a negative. The assembly attempted to evade this demand, by requesting an adjournment to consult with their constituents; but the governor not acceding to the proposal, they at length sent a long message, in which they defended their former resolutions, and refused to recede or apologize. A letter of great length, and to the same purport, was written to Lord Hillsborough; and to prove that the former measure was not obtained by surprise, nor contrary to the sense of the house, the numbers were taken on the division, by which the question for rescinding the resolutions was rejected, and were found to be ninety-two to seventeen. In pursuance of his instructions, the governor dissolved the assembly*.
1768.	
29th.	
30th. Inflexibility.	
1st July. And dissolution of the assembly.	
Temper of the people.	This ferment in the legislature greatly affected the tranquillity of the people. Those who were before disposed to exhibit a licentious disposition, now secure of impunity and support, laid no restraint on their conduct. The act for establishing a board of customs was liable to no objection in argument; but, as it subjected the smuggling trade to insurmountable difficulties, was resented with great acrimony. The board passed several wise and effectual regulations for accomplishing the ends of their institution, and were therefore regarded with peculiar malignity; and while the assembly was yet sitting, this spirit was displayed in a manner which threatened to involve the whole province in rebellion. A sloop belonging to John Hancock, one of the principal merchants, arrived in Boston harbour laden with wine, and a tide-waiter was put on board to prevent the cargo from being landed
9th June. Seizure of Hancock's sloop.	

* The account of these proceedings is taken from Stedman's History of the American War, vol. i. p. 54 to 62; Andrews's History of the War, vol. i. 80, et seq.; Almon's Collection of Papers, vol. i.; The True Sentiments of America, in a Collection of Letters, &c. including papers relating to a supposed libel on the governor of Massachusetts Bay; Letters and Memorials to Lord Hillsborough from Governor Bernard and General Gage, two collections, 1769; The American Gazette, 1768; and the periodical publications.

until entered at the custom-house, and a permit obtained. The master of the vessel, having in vain tampered with the officer, forcibly locked him up in the cabin, landed the wine, and took in oil from the shore. Information of this violence being given at the custom-house, the collector seized the sloop, and placed it under protection of the Romney ship of war, then in the harbour. The mob on shore assailed the collector and comptroller of the customs, beat and pelted them with stones; threatened the commissioners, whom they obliged to seek refuge on board the Romney; and, seizing the collector's boat, carried it in triumph, and burned it before Mr. Hancock's door. The commissioners applied for protection to the governor, who referred them to the legislature; but that body would give neither advice nor assistance; and the commissioners, being still alarmed by threats, were obliged to secure themselves in a fortress called Castle William, situate on an island, at the mouth of the harbour.

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A town-meeting was next called; but the inhabitants of Boston, participating in Hancock's interest, presented a remonstrance to the governor against the seizure of the sloop, and requested him to order the Romney to quit the harbour. The legislature beheld the proceedings with indifference, and took no measures for assisting the governor, or protecting the officers.

14th June.
Town-meeting.

In consequence of these transactions, and of the representations made by Sir Francis Bernard, and the commissioners of the customs, to the ministry, two regiments from Halifax and as many from Ireland were ordered to Boston, in aid of the civil power. A rumour of these orders having reached the inhabitants, they were filled with consternation and alarm: a town meeting was held, and a petition presented to the governor, requesting him to call an assembly. He answered: "It was not in his power, as he had dissolved the late assembly by the King's command, to convene a new one without instructions; and the affair was under examination." This answer

Troops ordered.

12th Sept.
Second town-meeting.

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increased the resentment of the people, and afforded ample scope to the exertions of the factious. It was proposed to summon a convention; and, to give efficacy to this new and bold resolution, they adjourned to the next day. Projects were said to be in contemplation for preventing the landing of troops; a barrel of tar was placed on the beacon, to be fired in the night, as a signal to the country to come in: government could not procure its removal; although no serious apprehensions of resistance to the military were entertained*.

13th.

A convention
resolved on.

At the town meeting, most inflammatory language was held; and among four persons nominated to represent them in the intended convention, Mr. Hancock was one. The select men of Boston were directed to write to those of other towns in the province, inviting them to a convention on the 22nd of the same month. The inhabitants were also commanded to provide themselves with arms, ammunition, and accoutrements, in case of sudden danger. As a ground for this order, founded on an obsolete law of the province, they alleged a rumour of an intended war with France. They terminated the meeting in a manner characteristic of the spirit of their ancestors, by requiring the ministers of the town to set apart an early day for fasting and prayer.

Prudence of
the inhabi-
tants of
Hatfield.

In consequence of these resolutions, a circular letter was written to the ninety-six towns in the province, in language correspondent with the temper and disposition of those who regulated the Boston meeting. All the towns appointed committees to attend the convention, except Hatfield, to which spot it appeared all the loyalty and moderation of the province were confined; the inhabitants unanimously refused to send representatives, and protested against it as illegal. In a letter to the select men, they denied the facts alleged as motives for the intended proceeding, declared their loyalty to the King, and fidelity to their country; but expressed their firm resolution to maintain and defend

* Letter of Governor Hutchinson, 4th Oct. 1768; printed for Wilkie.

their rights in every prudent and reasonable way, as far as was consistent with their duty to God and the King.

The convention, on their meeting, sent a petition to the governor, disclaiming every intention of performing authoritative or governmental acts: they were chosen, they said, by the different towns and districts, and met in that dark and distressing time, to consult and advise measures for promoting the peace and good order of His Majesty's subjects in the province. They repeated their complaints of grievances, and prayed that he would relieve them by calling a general assembly. When the three members, appointed to convey this petition, waited on Sir Francis Bernard, he declined receiving any message from the assembly called a committee of convention, as that would be admitting its legality; he would not even sign the paper on which he wrote this refusal; but it was authenticated by those who received it from his hand. The next day a letter from the governor was read in the convention, in which, proceeding on a supposition that they might have assembled by the advice of some person ignorant of the criminality of his act, he admonished them to separate without transacting business, that they might not incur the penalties due to their disobedience. The convention sent another message, by five gentlemen, which the governor refused to receive, as he had sufficiently explained himself, and pointed out the danger. Disconcerted by this firmness, they merely appointed a committee of nine persons to consider and report the most effectual method, consistent with the express design of their convening, to promote the peace and good order of His Majesty's subjects. The report being made, they drew up a petition to the King, which they enclosed in a letter to their agent in London, and then dissolved.

It was known that, for the security of government, two regiments had arrived in Boston on the day which concluded the sittings of the convention: some difficulties respecting their lodging were obviated by hiring houses, to which the denomination of barracks was

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1768.

22nd Sept.
Proceedings
of the con-
vention.

23rd Sept.

24th.

29th.
Arrival of the
troops.

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assigned, to prevent the establishment of a precedent for lodging soldiers in private habitations. The presence of the military, for a time, restrained the inhabitants within the bounds of order ; the commissioners of customs resumed their functions, and business followed its accustomed course.

Tranquillity
of New York.

New York, effectually intimidated by the suspension of their legislature, submitted to the terms imposed by the mutiny act, and the assembly was again allowed to sit. Tranquillity was restored, and confidence would probably have followed, but for the associations formed throughout the continent in consequence of the circular letter written by the assembly of Massachusetts's Bay. These associations kept alive the flame of discord, and prepared for further exertions detrimental to the welfare of Great Britain*.

Affairs of
Ireland.

In 1767, a material alteration was effected in the constitution of Ireland, by the octennial act.

19th and 28th
Dec. 1764.

During the viceroyalty of the Earl of Northumberland†, the Lord Primate and Lord Shannon died‡. Before this event, Lord Shannon's heir and successor had married the daughter of Mr. Ponsonby, Speaker of the House of Commons. Fortified by this connexion, they imagined themselves sufficiently powerful to surmount every other party, and to awe the government. Their efforts, during the administration of Lord Halifax, were productive of little effect, as his firmness and address were superior to all machinations.

In 1764, new attempts were made to give to the House of Commons the right of originating money bills. Mr. Pery made a motion for expunging from the journals the note to the Lord Deputy, dated the 29th of November 1614, by which the full operation of Poyning's Law was recognized ; and succeeded in obtaining a vote to that effect. The Speaker, who had permitted this resolution to pass, being convinced,

* Stedman's History of the American War, vol. i. p. 53 to 68. Andrews's History of the American War, p. 81 to 91.

† See chap. viii.

‡ In December, 1763.

after a conference at the castle, of its impropriety, procured by his exertions the annulling of the whole proceeding; and the entry was declared an error of the clerk.

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1768.

During the administration of Lord Weymouth and the Earl of Hertford*, no material transaction took place; the patriots had so often repeated their complaints on the enormity of the pension list, that they no longer excited curiosity, or obtained attention. Resolutions were entered on the journals, stating facts respecting pensions; but no measures were adopted to show that they made any strong impression even on the movers.

In consequence of the increasing powers of the parliamentary undertakers, government resolved to make residence the duty of the lord lieutenant; a determination which gave satisfaction to the people, and proportionate alarm to the lords justices, whose unpopular authority it was intended to abridge.

Lord Lieutenant obliged to reside.

One of the principal measures by which the people expected their emancipation from the authority of the undertakers, was an alteration in the constitution of parliament, which, at this time, dissolved only on the death of the King, or by the exercise of his prerogative. A change which should make the constitution more nearly to resemble that of Great Britain, had occasioned many public meetings, and strenuous recommendations to the legislature. The undertakers durst not attempt an open opposition, but relied on the effects of intrigue and management to prevent, while they appeared to favour, the success of the measure.

Efforts to alter the constitution of parliament.

From the beginning of the present reign, efforts had been made to obtain a septennial law: in 1761, the House of Commons agreed to the heads of a bill for limiting the duration of parliaments, which was transmitted to England, but not approved. Even at that time, great jealousy was excited, and the people were led to believe that their representatives sent the

* The Earl of Bristol was appointed Lord Lieutenant in 1766, but did not go to Ireland.

CHAP.
XIV.27th April,
1762.

bill to England in the hope of its being altered, which would afford a pretence for rejecting it, without offending their constituents. To acquit themselves of this imputation, the Irish House of Commons entered a resolution on their journals, declaring the report to be void of foundation.

Nov. 1765.

In November, 1765, the sheriff and commons of Dublin drew up a petition for a change in the system of representation; the lord mayor and aldermen refusing to concur in the measure, the sheriff and commons passed a resolution expressing disapprobation, and voted instructions to their representatives to use their utmost endeavours for limiting the duration of parliaments.

Feb. 1766.

In February, 1766, a bill for that purpose again passed in Ireland; but was rejected by the British cabinet. The news of this event exasperated the people of Dublin; and the sheriff and upwards of six hundred merchants and traders presented an address to their representatives, in which, after complaining, in acrimonious terms, of the rejection of the bill, they directed their members never to assent to any money bill of longer duration than six months, until a law should pass for a septennial limitation of parliament.

May, 1766.

When Lord Chatham's administration was formed, Lord Camden declared himself the advocate of a change in the representation of Ireland; but, instead of a septennial, an octennial bill was recommended. Charles Townshend, chancellor of the exchequer, entered into the same views, and therefore obtained the lord lieutenancy of Ireland for his brother.

11th Oct.
1767.

Lord Townshend accepted the appointment, fully approving the new system, and determined to maintain the royal authority against all opposition. He was received with great demonstrations of joy and respect by the magistracy of Dublin; and, in three days after his arrival, the lord mayor, sheriff, and commons came to a resolution, that to obtain a law for limiting the duration of parliament, under proper qualifications, would be of the highest advantage to the kingdom in

14th.

general, and to the city of Dublin in particular, and that it would be advisable for the city to adopt all constitutional measures for procuring such a law.

A bill to that effect speedily passed the Irish parliament; and, being sent to England, obtained the sanction of the crown. It was received by the people of Ireland, particularly the lower class of voters, with unbounded joy; and the lord lieutenant was highly popular for the share he had taken in facilitating so desirable a measure*.

* Many of the above statements are derived from the periodical publications, the rest from private information.

CHAPTER THE FIFTEENTH.

1768—1769.

Retrospect of the transactions of the reign.—Conduct and disposition of the King.—His patronage of the fine arts.—Efforts previous to a general election.—Parliamentary censure on the magistrates of Oxford.—Wilkes's return to England.—He is elected Member for Middlesex.—Meeting of Parliament.—Proceedings against Wilkes.—He is committed to the King's Bench prison—rescued by the mob—surrenders.—Daily riots.—The soldiers fire on the people.—Increasing violence of the populace.—Sentence of the Court of King's Bench on Wilkes.—Prosecution of Mr. Gillam, the magistrate, by whose authority the military acted.—Resignation of Lord Chatham.—Serjeant Glynn elected for Middlesex.—Meeting of Parliament.—Wilkes's petition.—Various motions.—He is brought before the House of Commons.—His complaints declared frivolous.—His letter to Lord Weymouth—who complains of a breach of privilege.—Wilkes expelled.—His character.—His cause espoused by the freeholders of Middlesex.—He is re-elected—declared incapable of sitting.—Strenuously supported by the freeholders.—Meeting of merchants on the opposite side.—They are insulted.—Their progress to St. James's.—Wilkes again elected.—The election declared void.—Colonel Luttrell opposes him.—Wilkes returned.—The return altered.—Petitions of the freeholders.—Proceedings in parliament relative to America.—Debates on the conduct of the legislature of Massachusetts Bay.—Debates on reviving an obsolete statute of Henry VIII.—Debate on the right of taxing.—Respecting Corsica.—Nullum Tempus act.—Arrears of the civil list discharged.—Agreement with the East India Company.—Prorogation.

AT the dissolution of the first parliament called by George III. the aspect of affairs presented no consolatory views to his mind. The King, from the beginning of his reign, had manifestly sought the advantage and honour of his people; yet such were the effects of a constant and acrimonious opposition, that not only the prudence of his measures, but the purity of his intentions was doubted. At his accession, he found a large portion of his subjects, conspicuous both for property and talent, excluded from all share in the government, and, by an affected stigma, rendered incapable of enjoying confidence, or rendering service to the crown. He relieved them from this proscription, and sought, by abolishing party and national distinctions, to reign King and protector of all his people. This measure, so wise and just in itself, was productive of endless feuds and jealousies. Every introduction of a new servant or family occasioned dissatisfaction and disgust: the disappointed formed new parties, avowed new principles, and sought by every device to distress and impede the operations of government. Thus so many successive ministries, who assumed the direction of public affairs, were all feeble and inefficient, while no single opposition was in itself strong or respectable. Every leader of a party commanded his share of influence, which, joined to that resulting from ministerial situation, was sufficient to procure a majority; but the parliament itself, delivered to so many opposite leaders, making laws in one session, repealing them in the next, affirming a principle at one period, and retracting it at another, lost much of the respect and confidence which ought to flow from the people to their representatives.

The King's benevolence was conspicuous in every act which he performed or sanctioned. He found the country at war: it was the first wish of his heart to restore the blessings of peace. In pursuit of this object he made no sacrifice of the national honour, but raised the glories of the country by a campaign of matchless vigour and success. From this circumstance resulted much of the obloquy thrown on the peace:

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1768.
Retrospect
of the trans-
actions of
the reign.

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XV.

1769.

Private character of the King.

the prosperous progress of the British arms inspired exaggerated hopes, and many who affected to deplore the miseries of war, decried the peace because it was not founded on principles which would have furnished an unanswerable motive for future aggression.

Against the private life of the King calumny itself could not discover an objection. Vice of every kind was not only unpractised, but discountenanced, at court; and it was not possible to survey, without an accumulated sense of respect and admiration, the first personage in the realm, although in the prime of youth, the most conspicuous in the performance of every social duty, and the most happy in the interesting centre of a domestic circle*.

His patronage of the arts.

The King was a patron and liberal encourager of the polite arts, and anxious to give them a permanent establishment in Great Britain. At an early period of the reign, Lord Bute asserted, from his own knowledge, that rewards would never be wanting, provided proper subjects occurred, worthy of the royal protection†; and the institution of the Royal Academy displayed at once the King's judgment, spirit, and patriotism‡.

Uneasiness in consequence of opposition.

Notwithstanding, however, his blameless life, and constant exertions to deserve the affection of his subjects, the King was not happy. The unceasing efforts of opposition in every part of his dominions, and the success which attended those insidious and baleful

* It may be proper here to mention the state of the Royal Family at this period. Beside the Prince of Wales, whose birth is already mentioned, the King was parent of Frederick, Bishop of Osnaburg, since Duke of York, born 16th August, 1763; William Henry, created Duke of Clarence, born August 21st, 1765; Charlotte Augusta Matilda, afterward Queen of Wirtemberg, born 29th September, 1766; Prince Edward, late Duke of Kent, born 2nd November, 1767; and the Princess Augusta Sophia, born 8th November, 1768.

† Letter from Lord Bute to Lord Melcombe, 28th May, 1761. In this letter was enclosed a sum of £200 for a worthy literary character in distress. Many instances of this liberal, wise, and truly patriotic spirit might be collected; but it is not thought fit, in this place, to enter into a detailed controversy with some persons, who, on this point, have been guilty of gross and foul misrepresentations. At this early period of his reign, among many munificent donations, may be particularly mentioned that to Dr. Sharpe, and the purchase of the pamphlets during the civil war for the British Museum, and the pensions to Dr. Kennicott, Dr. Shebbeare, Dr. Thomson, and Dr. Johnson, which enabled them to pursue their studies with advantage, or to enjoy their lives with ease.

‡ See Appendix, No. VI.

endeavours, deprived him of a great portion of tranquillity. His firmness, fortunately, prevented him from relinquishing a mode of conduct which his judgment led him to adopt; but although he was enabled to break the established phalanx, which, while it supported, obscured the throne, the struggle was attended with many painful circumstances.

Even in his own family, those feelings which proved the source of his enjoyments, gave also a poignancy to his grief. The death of his brother the Duke of York, a brave and meritorious youth, and of his sister the Princess Lousia Anne, occasioned great affliction; and although the marriage of the Princess Carolina Matilda to the King of Denmark, while it strengthened the Protestant interest, promised to increase the King's happiness, yet the splendid festivals which pervaded the capital could not assuage the pain of separation from such a beloved relative.

As it was certain that parliament would be dissolved at the end of the session, great efforts were made to obtain influence at the approaching general election. No art of corruption was left untried: advertisements appeared in the public prints, offering premiums for seats in the legislature; and the magistrates of the city of Oxford even demanded from their representatives, Sir Thomas Stapleton and the Honourable Mr. Lee, a sum of money as the price of their re-election. This demand being made during the session, the members very properly preferred their complaint to the house. The magistrates were taken into custody: but as, by their petition, it appeared they were not actuated by selfish motives, their only view being to obtain money for the reimbursement of some expenses sustained by the corporation, they received only a reprimand from the Speaker on their knees, and were discharged*.

All England was agitated by the tumults incident to a general election, but particularly London and Middlesex, on account of the re-appearance of John

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XV.

1768.

Deaths and
separations
in the royal
family.
17th Sept.
1767.
13th May,
1768.

Efforts
previous to
the general
election.

Conduct of
the magis-
trates of
Oxford.

9th Feb.
1768.

Wilkes
returns to
England.

* Debates. The whole matter was treated with great ridicule by writers of all parties.

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XV.

1768.

Retrospect
of his con-
duct.

Wilkes; he quitted England under circumstances so disgraceful, that his offer to represent the metropolis, or the county which includes the metropolis, was an incalculable effort of impudence, while the support he received seems to have flowed from an unprecedented source of popular delusion.

When Mr. Wilkes found it necessary to leave his native country, he repaired to France. On his arrival, he asserted that he was deputed ambassador to Constantinople; but he soon relinquished that pretence, and professed an inclination to reconcile himself with the ministry, and return to England*. The appointment of the Rockingham administration flattering him with hopes of success, he repaired to London in May, 1766, and opened a negotiation with the friends of the Marquis; but as he could not obtain protection from them, nor place his outlawry in a train of reversal till November, he again went to France. In the course of that summer, Lord Chatham's administration was formed; when, conceiving new hopes, he solicited, in earnest and abject terms, the Duke of Grafton's interference with the King†. This application being rejected,—neglected and forgotten, poor and friendless, he remained an exile, till the approaching dissolution of parliament drew him to England.

He is candi-
date for
London.

10th March.

22nd.

In his retirement he reflected with anger and bitter regret on his repeated mortifications, and his spirit was inflamed to that degree of virulence which made him brave every danger, and defy every appearance of decency, in declaring himself a candidate to represent the city of London. In his address to the livery, he claimed credit for his attachment to liberty, and presented his contests with government on the two questions respecting general warrants, and the seizure of papers, as titles to protection and encouragement. As the outlawry was still in full force, to prevent his being apprehended he wrote to the solicitor and deputy-soli-

* Lord Orford's Works, vol. v. p. 121.

† See the letter dated 1st November, 1766, A. R. vol. ix. p. 182, and a subsequent letter to the Duke of Grafton, dated 12th December, 1766, published by Almon; also Almon's Memoirs of John Wilkes, vol. iii. pp. 171 to 184.

citor of the treasury, pledging his honour as a gentleman that he would personally appear in the court of King's Bench on the first day of the ensuing term. To avert this calamity, he addressed to the King a fawning and evidently insincere supplication for mercy; it was couched in such language, that, comparing it with his former effusions, it wears the appearance of contemptuous burlesque*.

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XV.

1768.

Mr. Wilkes was not chosen for London; but the populace, sympathizing in his disappointment, and anxious to shew their zeal in his cause, took the horses from his carriage, and drew it through the city. He immediately presented himself a candidate for the county of Middlesex, and was returned by a large majority†. His friends, the populace, on this occasion testified not only their joy, but their resentment, by breaking the windows of Lord Bute's house, and of the Mansion-house; the air resounded with the cry of 'Wilkes and Liberty,' and those who refused to join in it were beaten and insulted‡.

But rejected.

28th March.
Is returned
for Middle-
sex.

On the meeting of the new parliament, Sir John Cust was again chosen speaker. The only business transacted was a continuation of the statutes respecting grain; and a motion that the proper crown officer might report to the house why the laws were not immediately put in force against John Wilkes, an outlaw, when he returned to England in February.

10th May.
Meeting of
parliament.

* Correspondence and Memoirs by John Almon, vol. iii. p. 263.

† The numbers were, Wilkes 1292, Cooke 827, Sir William B. Proctor 807.

‡ The account given of this disgraceful event by Dr. Franklin is spirited and correct, and his reflections are wise and just. "London was illuminated two nights running, at the command of the mob for the success of Wilkes in the Middlesex election; the second night exceeded anything of the kind ever seen here on the greatest occasions of rejoicing, as even the small cross streets, lanes, courts, and other out-of-the-way places, were all in a blaze with lights, and the principal streets all night long, as the mobs went round again after two o'clock, and obliged people who had extinguished their candles to light them again. Those who refused had all their windows destroyed. 'Tis really an extraordinary event, to see an outlaw and exile, of bad personal character, not worth a farthing, come over from France, set himself up as candidate for the capital of the kingdom, miss his election only by being too late in his application, and immediately carrying it for the principal county. The mob (spirited up by numbers of different ballads sung or roared in every street) requiring gentlemen and ladies of all ranks, as they passed in their carriages, to shout for Wilkes and Liberty, marking the same words on all their coaches with chalk, and No. 45 on every door; which extends a vast way along the roads in the country." Franklin's Memoirs and Correspondence, vol. ii. p. 161.

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XV.

1768.
Proceedings
against
Wilkes.
12th April.

He is com-
mitted.

27th.
Rescued by
the mob.

Surrenders
himself.

Riots.

Daily re-
peated.

Mr. Wilkes was already in custody. He had appeared in the Court of King's Bench according to his promise, and in a long speech complained of all the transactions in his case, but left the discussion of the points of law to his counsel. The Attorney-General moved for his commitment; cause was shewn against it, and a writ of error prayed. The judges censured both motions, as Mr. Wilkes was not properly before the court, and refused to commit, or admit him to bail. A writ of *capias utlagatum* was at length issued, and, as no precedent could be found of a person in his circumstances being delivered to bail, he was ordered into custody. The populace reversed the decree of the court; they stopped the coach in which he was proceeding, took off the horses, and dragged him through the city to a public-house in Spitalfields, where they kept him till eleven at night, when he made his escape, and surrendered himself to the marshal of the King's Bench. The next day, a mob assembled near the prison, pulled up the rails which inclosed the foot-way, and made a bonfire. They compelled the inhabitants of the Borough to illuminate; but at midnight were dispersed by a detachment of the Guards. Tumultuous meetings were daily held at the prison, and many outrages committed in various parts of the town. The government, thus alarmed, were properly on their guard against the riotous disposition so forcibly displayed. Lord Weymouth strongly recommended the preservation of the peace to the Lords-Lieutenant of Middlesex and Surrey, and wrote a letter on the subject to the magistrates of the latter county. Lord Barrington ordered the Horse and Foot Guards to give their attendance when required; and the magistrates were so sensible of the want of military support, that they applied to him to permit a body of cavalry to be stationed in the Borough. This request was not granted; but they were informed where troops, both horse and foot, might be obtained on application*.

* Political Life of Lord Barrington, by Shute, Bishop of Durham, p. 113.

On the opening of parliament, an immense multitude assembled in St. George's Fields, expecting that, by virtue of his privilege, their favourite would be liberated, and take his seat. They demanded him at the prison with loud outcries, and soon grew extremely violent. The justices, attempting to read the proclamation in the riot act, were assailed with stones and bricks; ineffectual pains were taken to induce the people to disperse; the drums beat to arms, and the military assembled; but the rabble persevered in their riotous behaviour, and even assaulted them, wounding several with stones and bricks. Some soldiers pursued a man who had been forward in maltreating them to some distance, when he escaped, it is said, through a cow-house belonging to one Allen. Seeing there a young man of the same appearance with him whom they were pursuing, they shot him dead. The youth, it was alleged, was a mere spectator of the transactions of the day. Meanwhile, the riot increasing, and every effort to restore tranquillity proving ineffectual, the soldiers received the word of command, and fired; five or six persons were killed, and fifteen wounded*.

The mob was dispersed; but inexpressible rage prevailed against the soldiery. The regiment happened, unfortunately, to be principally composed of Scotchmen, which gave additional violence to the popular resentment. The coroner's inquest brought in a verdict of wilful murder against the soldier who shot Allen, and implicated another private, and Alexander Murray, Esq., the commanding officer, as accessaries. The principal, Donald Maclane, was conveyed to prison, and the populace were with difficulty restrained from tearing him to pieces. The King with great propriety, protected and sanctioned the proceedings which gave a timely check to this daring spirit of licentiousness, and returned thanks to the commanding officer for his prudence and resolution. In the prevailing

CHAP.
XV.

1768
10th May.
Dangerous
tumult near
the King's
Bench prison.

A youth
killed.

The soldiers
fire on the
people.

Rage against
the military.

11th May.

* The account of this transaction is given by Almon, who says he was present, in the *Memoirs and Correspondence of Wilkes*, vol. iii. p. 276. It is as unfavourable to government as possible, but still leaves the main parts unaltered.

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XV.

 1768.
Increasing
violence of
the people.

frenzy of indignation, dangerous riots were daily excited. Harley, the Lord Mayor, being already obnoxious to Wilkes's party, for his conduct while sheriff, in burning the North Briton, it became necessary to station a guard to protect the Mansion-house from the daily violence* of mobs. An audacious and treasonable paper was stuck on the walls of St. James's Palace, and another of similar purport found on the back stairs. All was terror, confusion, and alarm, and, under the mask of patriotism, treason was actively employed. A large body of sailors who had petitioned for an increase of wages, continued assembled, and compelled those on board merchant vessels to join them; combinations were formed by workmen, coal-heavers, watermen, and labourers, in the metropolis and in different parts of the country; the civil arm seemed too weak to restrain the general spirit of licentiousness, which, actuated by a designing leader, or stimulated by a real cause of complaint, would soon have produced a total dissolution of social order; attempts were made to seduce the military, and, had they succeeded, even in a slight degree, the powers of government must have been at an end†. These events possessed, in their consequences, and in the impression they made, an importance which from the mere narrative would hardly be assigned to them. On the continent, where politicians, otherwise well informed, possess very imperfect ideas of the nature of our government, the election for Middlesex was the subject of much speculation, and generally viewed in a most serious light, as a proof of the inability of government to sustain itself‡.

8th June.
Sentence of
the court of
King's Bench
on Wilkes.

Mr. Wilkes's case was argued in the court of King's Bench, and the outlawry reversed; but the verdict was affirmed, and he was sentenced to be imprisoned two years, computed from the time of his

* Three persons were tried at the Old Bailey in July for being engaged in those violences, breaking the lamps and assaulting the Lord Mayor; two of them were found guilty, and sentenced to twelve months' imprisonment in Newgate.

† Memoirs of Lord Barrington, p. 115.

‡ Mitchell Correspondence, No. 6810, fo. 146.

arrest, to pay two fines of five hundred pounds, and find two sureties, in five hundred pounds each, for his good behaviour for seven years.

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XV.

1768.

In the spirit of revenge against all who appeared to support government in the late proceedings, Mr. Gillam, the magistrate who authorized the Guards to fire and disperse the mob, was indicted for murder.

Prosecution
of Mr. Gil-
lam.
7th July.

The attorney and solicitor-general appeared as his counsel, but the jury acquitted him on the evidence for the prosecution. A bill was also presented to the

11th.

grand jury against Maclane the soldier, and two other

persons implicated in the coroner's verdict, one of whom was held to bail, the other not taken ; after a

8th Aug.
And of two
soldiers.

deliberation of thirteen hours, they found a true bill against Maclane only, who was tried and acquitted.

In his awful and distressing position, this poor man was not abandoned by the government he had served.

9th.

He was maintained, while in prison, at the public expense, defended as Mr. Gillam was, and, after his

acquittal, thirty guineas were publicly presented to him by his commander, Colonel Whitshead. The do-

nation was accompanied with an explanation, that it was on account of his having suffered so much, and

been so long imprisoned on a false accusation : had he done any thing contrary to the laws, His Majesty

would have been no less ready to surrender him to justice than he was graciously disposed to compensate

his wrongful sufferings. Ten guineas were given to the soldier who had been bailed, and two guineas to

each of those who had been wounded by the populace*.

Any hope which could be entertained that ministers would derive strength from the popularity of Lord

Chatham, or aid from his wisdom, was now at an end. His health did not permit him to transact business ;

and the infirmities it brought on made him, in general, incapable even of giving advice. He saw with dis-

satisfaction many of the late proceedings. He did not approve of the manner in which the disputes with

Resignation
of Lord
Chatham.

* Memoirs of Lord Barrington, p. 119.

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XV.

1768.

14th Oct.

Serjeant
Glynn
elected for
Middlesex.
5th June.

8th Dec.

14th Jan.
1769.

America had been generated; and, although he strongly reprobated the factious conduct of the colonists, he was not less dissatisfied with the measures by which it was occasioned. He saw, with indignation, the tranquillity with which his colleagues suffered the French to possess themselves of Corsica; and felt great repugnance at seeing his name connected with some men whose measures were so generally unpopular. He had, for some time, expressed his wish to retire; but those in the cabinet to whom he was attached, perseveringly pressed him to remain; and the King, supporting him with equal graciousness and sincerity, expressed a strong desire to retain him in his service, relying as he said on his intrepidity to withstand the country's greatest enemy, faction. The privy-seal was, for a short time, put in commission, in hopes that his health might be in some degree re-established, but in vain. Ill health and anxiety of mind brought him to such a state, that, notwithstanding all solicitations from the King, the Duke of Grafton, and Lord Camden, which had continued more than a year, he sent in his resignation. Lord Bristol was appointed in his stead; and, as Lord Camden still continued chancellor, no material alterations took place*.

The tumultuous disposition of the electors of Middlesex might have subsided; but a new contest arose on the death of Mr. Cooke, Mr. Wilkes's colleague. Sir William Beauchamp Proctor, the unsuccessful candidate at the late election, again offering himself, was opposed by Serjeant Glynn, the constant and popular legal defender of Wilkes, and lost the election. During its progress, a man was killed in a riot, begun by some chairman employed by Sir William's party. Two of them were apprehended, tried at the Old Bailey, and found guilty. The populace, animated with the desire of vengeance, when the verdict was pronounced, testified their joy by shouting and clapping of hands; but their fury was not grati-

* Life of Lord Chatham, vol. ii. p. 84. Correspondence of Lord Chatham, vol. iii. *passim*.

fied in the expected victims ; for, after being respited for a short time, they obtained a pardon*.

In his speech to parliament, on the first day of the session, the King mentioned with satisfaction the pacific disposition of the continental powers, adverted to the rebellious spirit which prevailed in Massachusetts's Bay, and recommended harmony and union. The address was strenuously opposed, but carried.

Mr. Wilkes's affair early engaged attention : a petition was brought up by Sir Joseph Mawbey, in which all the proceedings against him, since the year 1763, were briefly recited, and the justice of the house was claimed in redressing his grievances ; sundry motions ensued ; the proper officers were directed to lay before the house a copy of the proceedings in the court of King's Bench ; and a day being appointed for taking these matters into consideration, it was ordered that due notice should be given to Mr. Wilkes, and to several other parties, who might appear as witnesses. Among them was Mr. Webb, late secretary to the treasury, who, being in the petition accused of highly improper conduct, requested an opportunity of vindicating himself, and was allowed to be heard either in person or by counsel.

Before the petition was discussed, a motion, made for the purpose of ascertaining whether a member convicted of publishing a libel was entitled to privilege, was debated with much acrimony, and at length decided in the negative. At the time appointed for considering his petition, the lobby was crowded with inquisitive strangers, and a special order for clearing it was found necessary. Mr. Wilkes, being brought before the house in custody, observed that, by an act of parliament, he could not legally appear there without taking the oaths ; but the objection was over-ruled. On a subsequent day, he took exception to the word blasphemous, used in describing the Essay on Woman ; which, after a long debate, was expunged. The evidence in support of the petition substantiated only the

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1769.
8th Nov.
Meeting of
parliament.

Wilkes's pe-
tition.
14th Nov.

Proceedings
thereon.

23rd Jan.
1769.
Motion re-
specting pri-
vilege.

27th
Wilkes
brought
before the
House of
Commons.

31st.

* They were afterwards prosecuted with unceasing resentment for other murders committed on the same day, but acquitted.

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XV.

1768.

1st. Feb.
His com-
plaints de-
clared fri-
volous.Wilkes's
letter to
Lord Wey-
mouth ;who com-
plains of a
breach of
privilege.3d.
Wilkes ex-
pelled.

undenied fact, that Lord Mansfield had altered the record of his indictment the day before the trial. It was clearly demonstrated that the practice of altering records in the manner complained of was ancient, and supported by numberless precedents from the beginning of the law books to that period ; and, on a solemn argument of the same objection in Westminster Hall, the practice had been confirmed by all the judges. The petition accused Mr. Webb of suborning and bribing, with the public money, one Curry, Mr. Wilkes's domestic, to give such evidence on the trial as he should be directed : but this charge was not proved. A vote of severe censure was moved, but afterwards modified into a declaration, that the aspersions in the petition were frivolous.

Another complaint against Mr. Wilkes was also taken into consideration. Lord Weymouth, the secretary of state, having, in the preceding year, written to the magistrates of Surrey, recommending them no longer to permit tumults to assume a dangerous aspect, but to make early application for a military force in aid of the civil power ; the letter came into Mr. Wilkes's possession, and he published it, with an inflammatory and insulting comment, denominating the affair in St. George's Fields a horrid massacre, and the consequence of a hellish project, deliberately planned. Lord Weymouth complained to the House of Lords of a breach of privilege ; and the printer of the newspaper acknowledging that he received the letter from Mr. Wilkes, a conference of the Lords and Commons was held. Mr. Wilkes, at the bar of the lower house, triumphantly avowed the publication, and claimed the thanks of the country for having exposed, in a proper light, " that bloody scroll."

The house being thus in full possession of the necessary evidence, a motion for his expulsion* was made,

* The motion was in these words : " That John Wilkes, Esq. a member of this House, who hath, at the bar of this House, confessed himself to be the author and publisher of what this House has resolved to be an insolent, scandalous, and seditious libel, and who has been convicted, in the court of King's Bench, of having printed and published a seditious libel, and three obscene and impious libels, and by the judgment of the said court has been sentenced to

and, after a strenuous debate, carried by a considerable majority*.

In all the proceedings against Mr. Wilkes, from the moment of his return to England, the ministry displayed great want of judgment and prudence; but in this measure their errors were peculiarly manifest. On his arrival, in the month of February, his outlawry was in full force; had they then issued against him the proper process, he would have been legally in custody during the period of the election, and thus prevented from influencing, personally at least, the public proceedings at that crisis. Such a measure could not apparently have created a division in the cabinet, since even Lord Chatham was attacked, in the letter to the Duke of Grafton, with no less virulence than the Duke himself. But if they were resolved not to add to the weight of Mr. Wilkes's misfortunes by enforcing this punishment, and content to incur the risque arising from his popular opposition to their measures, the most prudent proceeding would have been to advise the grant of a free pardon. He could then no longer pretend that he was a martyr in the cause of liberty, nor would the excesses of the populace have been sanctioned by any plausible allegation of grievance. By taking him into custody after his election, and when his popularity was so firmly established, they placed the King in direct opposition to a great portion of his subjects, and exposed the nation to all the mischiefs and ferments arising from such a contest. In arguing the merits of his petition, the ministry were guilty of a great error: it claimed no particular notice, made no specific demand, and might, with great propriety, have been left to lie on the table. In expelling him the house, their conduct was unjustifiable: it might be legal; but a ministry in a free country can never support themselves by an appeal to the letter of the law; they must also do what is expedient, and even gracious

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1769.

Observa-
tions.

"undergo twenty-two months' imprisonment, and is now in execution under the same judgment, be expelled this house."

* 219 to 136. The proceedings on this matter are fairly detailed in Almon's Correspondence, vol. iii. p. 290, and the daily votes of the house, from the 14th November, 1768, to the 3d February, 1769, are cited, from the thirty-second volume of the Journals, pp. 33, 34, 58, 65, 68, 74, 79, 81, 82, 99, 150, 156, 170, 172, and 178.

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Character
of Wilkes.

to the people. In this instance, they manifested no less feebleness than rancour. As if afraid that they were not fully justified in expelling him in consequence of a complaint from the other house, the motion was loaded with extraneous facts; reciting an offence for which he was expelled by a former parliament, and others for which he was then suffering the sentence of the law; and even alleging that sentence and those sufferings against him as new crimes.

Through the medium of Mr. Wilkes, some questions of the highest importance, both to liberty and government, were discussed; and he was, in every respect, the most proper man to act the part assigned to him. Too enterprising to be despised, too frivolous to excite permanent apprehension, he was ever ready to engage in such acts as required the interference of the law, and always sufficiently subtle to make his errors popular, and his vices venial. Too magnanimous to be actuated by terror, and too venal to resist proffered advantages, he was a fit champion for the people, till his views were answered; but so open to gratification, as never to be permanently dangerous. His avowed vices precluded him from the esteem of the virtuous; and thus his popularity, however apparently extensive, could never give alarm to a strong and well-combined ministry. It would have been wise to let him take his seat without resistance; for, as his oratorical talents were not above mediocrity, he would soon have sunk into disregard, and his writings, ceasing to claim attention as the effusions of an injured patriot, would have been rated at their just value, and fallen rapidly into obscurity.

His interests were warmly and eagerly espoused: at a meeting of the freeholders at Mile-end, his re-election was recommended. Alderman Sawbridge enforced it, by observing, that if once the ministry should be permitted to say whom the freeholders should not choose, the next step would be to tell them whom they should choose: he was accordingly re-elected, almost without opposition*.

14th Feb.
His cause
espoused
by the free-
holders of
Middlesex.

16th.
He is re-
elected.

* Serjeant Whitaker was proposed as a candidate, but was supported only by five freeholders.

The resolution thus displayed by the people to support their favourite might have taught the ministry the inutility of further resistance, and induced them to submit with a good grace ; but they now appeared to consider the credit and authority of government at stake, and to have resolved that the question should be prosecuted to all extremities. On the day succeeding his return, Lord Strange moved, " That, having been expelled, Mr. Wilkes was incapable of serving in " that parliament." In support of this doctrine, it was alleged, that Robert Walpole having been expelled the house, and re-chosen for Lynn, the Commons declared his incapacity. The members in opposition made many distinctions between Walpole's case and Mr. Wilkes's. Walpole was, at the time of his re-election, actually in the Tower for the crimes which occasioned his expulsion ; a rival candidate appeared, so that the terms of the precept could be complied with ; and the matter was taken up in the house, not on the mere return of the writ, but on the petition of his opponent. Should the dangerous precedent, that a member once expelled is incapable of re-election to the same parliament, be established, it might be carried to an indefinite extent. " There is one *worst* " man in the house," Mr. Dowdeswell humorously observed ; " turn him out. Is there not now a *worst* " man left? Turn him out too. In short, when will " you stop? You have turned one out for impiety " and obscenity : when half a dozen members meet " over a convivial bottle, is their discourse entirely free " from obscenity, impiety, and abuse of government ? " Even in the cabinet, that pious, reforming society,— " were Mr. Wilkes to be judged, and the innocent " man to throw the first stone, they would slink out " one by one, and leave the culprit uncondemned." The answer to these observations was given by the simple fact, that Mr. Wilkes was not expelled because he was the worst man in the house, but because he was too bad a man to remain in it. In more serious argument, it was stated, that a man, expelled for a libel, might, on a trial in a court of law, be found innocent :

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17th.
Declared
incapable
of sitting in
parliament.

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Wilkes
strenuously
supported.

22nd Feb.
Meeting of
merchants.
8th March.
They are
insulted by
Wilkes's
party.

22nd March
Their pro-
gress to St.
James's.

what must be the consequence? Could he never be re-elected? or what amends could he receive for his expulsion? But, say the ministry, parliament will never expel a member but for a just cause. When a ministry is invested with the powers of judges, woe to us opposers. The question was carried in the affirmative by a large majority*.

This measure did but increase the popularity of Wilkes; he was considered the object of a vindictive persecution†; and, at another meeting, held at Mile-end, it was resolved again to support him, and the most enthusiastic sentiments were expressed in his favour.

All attempts to oppose the prevailing spirit were ineffectual. A meeting was called at the King's Arms tavern, in London, for the purpose of presenting a loyal address to the King; but the adherents of Wilkes were so numerous and formidable, that those who invited the meeting were obliged to leave the room; and the other party, by their speeches and resolutions, totally perverted and turned to ridicule the original intent of the assembly. Those who convened it, however, prepared an address, which they left at a public office over the Royal Exchange for signatures. In their progress to present it at St. James's, they were assailed with violence and insult: a hearse preceded them, with paintings representing the death of Allen and the murder at Brentford; the coaches were stopped, and those in them were beaten, pelted with mud, and many obliged either to desist from their intention, or proceed to St. James's by private ways. The hearse, still preceding the few who remained, attempted to pass into the court yard; but was resisted by the guard: the mob persevered in their outrages, even within the walls of the palace; two were secured by the intrepidity of Lord Talbot, and fifteen by the military‡.

* 225 against 86.

† A subscription was opened for his benefit at the London Tavern (20th February), which supplied a sufficient fund to pay his fines and his debts, and to leave an ample residue for his support.

‡ It is a remarkable fact, and shows how general was the extent of factious spirit at this period, that the grand jury of Middlesex refused to find bills of indictment against these men.

The whole spectacle must have been truly mortifying and distressing to the King, as it evinced the dangers to which his subjects were exposed in presuming to display sentiments of loyalty and affection*.

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A second election took place at Brentford; and Mr. Dingley, the principal promoter of the meeting at the King's Arms tavern, appeared for the purpose of opposing Mr. Wilkes; but was so ill treated by the mob, that, by the advice of his friends, he retired before the nomination, and the popular candidate was declared duly elected for want of opposition, although Mr. Dingley, in a letter to the sheriffs, protested against the proceedings of the day†. The House of Commons, on the motion of the Chancellor of the Exchequer, again declared the election void.

16th.
Wilkes
again
elected.

17th.
The election
declared
void.

A new writ was issued; Colonel Luttrell, son of Lord Irnham, vacated his seat, and declared himself a candidate for Middlesex. This conduct was considered so rash and dangerous, that policies of assurance on his life were opened at Lloyd's Coffee-house‡. Mr. Wilkes's friends adopted their usual measure of calling a meeting at Mile-end, and entered into strenuous resolutions to support his cause. The House of Commons, apprehensive of riots, ordered the sheriffs to take the necessary measures for preserving the peace, by appointing an additional number of constables.

Colonl Luttrell opposes Wilkes.

20th Mar.

7th April.

The election was conducted with the utmost order, although a violent and outrageous mob occupied the roads to Brentford in every direction, and compelled all passengers to shout "Wilkes and Liberty," and to permit his badge, Number 45, to be chalked on their clothes and carriages. The numbers on the poll producing a majority for Mr. Wilkes of eight hundred and forty-seven§, the sheriff returned him duly elected. A motion, however, was made in the House, and after

13th April.
Election.

Wilkes re-
turned.

The return
altered.

* No express authorities are cited for these facts; they form the contents of all the diurnal registers in the periodical publications, to which reference may be made by the dates in the margin; particularly the Annual Register, and Gentlemen's Magazine.

† For an account of all this transaction, and of the life and fate of Mr. Dingley, see Lord Chatham's Correspondence, vol. iii. p. 351.

‡ History of the Boroughs, &c. vol. ii. p. 233.

§ Wilkes 1143, Luttrell 296.

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14th and
15th.20th.
Petition of
the free-
holders.
8th May.1770.
April.

being debated with great vehemence, and no small ability, for two days, an alteration of the return was ordered by a majority of fifty-four*. The freeholders of Middlesex presented a petition against this alteration, and were heard by counsel; but the House confirmed its previous resolution by a still greater majority†. By this disgraceful and ill-conducted conflict, Wilkes was a great, indeed the only, gainer. He lost his seat for Middlesex, it is true; but his popularity flourished, and the desired fruits of it matured. He recovered a verdict, with four thousand pounds damages, against Lord Halifax; and on a vacancy for the Ward of Farringdon Without, he was chosen an alderman of London. As, at the time of this election, he was still in prison, a case was submitted to the most eminent counsel, whose opinion was, that the election was not void, although the circumstances in which Mr. Wilkes stood, would justify the Court of Aldermen in refusing to administer the oaths of office; but the court, profiting by the example of the House of Commons, declined entering on such a contest, and permitted him to take his seat among them. His liberation was celebrated by another illumination, in which all were compelled to join, whatever might be their principles or opinions, on pain of instant injury to their persons or property. But the most beneficial, and to him, probably, the most welcome result of all this agitation, was a subscription, originating in the exertion of his friends, and promoted by zeal of his admirers, the produce of which enabled those who managed the affair to compound for his debts, of nearly twenty thousand pounds, at about one third of their amount, and sent him forth free from an incumbrance which for many years he had severely felt.

Observations.

If, in all these proceedings, government was legally right, still the impolicy of them remains equally obvious. In order to rule men in a free community, not the letter of the law alone, but the sentiments,

* 197 to 143,

† 221 to 152.

the feelings, the power, and even the prejudices of the majority, must be consulted ; they should not be made to consider that power is exercised merely to control their will, but that the power of the state is exercised with parental lenity toward their errors or mere excesses, while a due severity is shewn for the repression of crime. If this remark is suited to the affairs of Wilkes, with much more tremendous force does it apply to the late regulations respecting America. Ministers must have been culpably uninformed on the state of the public mind in the colonies, if they did not know that a determination prevailed, never to permit the mother-country to draw from them any revenue or profitable pecuniary contribution. Vain were the distinctions between direct and indirect, internal and external taxation ; the principle was not to be tolerated ; and however it might be declared by parliament, or sanctioned by law, the practice was sure to be resisted. Whether or not time and mature acquaintance with the really just and benevolent views of England would have blunted their feelings, may be a question ; but the negative is the most probable answer. Exempt from all apprehensions from France or Spain, unalarmed at any efforts that could be made by the aborigines, the colonists had only to consider what danger they could incur from Great Britain ; and many circumstances connected with our internal and foreign politics afforded ample encouragement to resistance. All the bad passions which had prevailed during the disputes about the stamp act were still in full vigour ; the declamations of their own demagogues, and those, not less furious or virulent, uttered by their partizans in this country, were calculated to encourage opposition, and to harden resistance into obstinacy. The great measure to which they resorted, the agreement against importation, unexceptionable in point of law, presented to their minds the flattering hope of distressing the power they opposed, and perhaps relieved many of their merchants from the difficulty and disgrace attendant upon a restricted credit, while in

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itself it assumed the plausible form of repressing luxury, encouraging industry, and enforcing economy.

With respect to the right, or to the contumacious acts of their assemblies, the best friends of the Americans seem never to have entertained a doubt. Lord Chatham says, upon the subject: "America affords a gloomy prospect—a spirit of infatuation has taken possession of New York: their disobedience to the mutiny act will justly create a great ferment here, open a fair field to the arraigners of America, and leave no room to any to say a word in their defence. I foresee confusion will ensue. The petition of the merchants of New York is highly improper: in point of time, most absurd; in the extent of their pretensions, most excessive; and in reasoning, most grossly fallacious and offensive. What demon of discord blows the coals in that devoted province I know not; but they are doing the work of their worst enemies themselves. The torrent of indignation in parliament will, I apprehend, become irresistible; and they will draw upon their heads national resentment by their ingratitude; and ruin, I fear, upon the whole state, by the consequences*." Dr. Franklin too, fully conceded that the right was as claimed, although he would not admit that it was as it ought to be. "As to the farmers combating, as you say they intend to do, my opinion that the parliament might lay duties, though not impose internal taxes, I shall not give myself the trouble to defend it. Only to you, I may say, that not only the parliament of Britain, but every state in Europe, claims and exercises a right of laying duties on the exportation of its own commodities to foreign countries. A duty is paid here on coals exported to Holland; and yet England has no right to lay an internal tax on Holland. All goods brought out of France to England, or any other country, are charged with a small duty in France, which the consumers pay; and yet

* Correspondence of the Earl of Chatham, vol. iii. p. 188.

“ France has no right to tax other countries. And, in my opinion, the grievance is not that Britain puts duties upon her own manufactures exported to us, but that she forbids us to buy the like manufactures from any other country. This she does, however, in virtue of her allowed right to regulate the commerce of the whole empire—allowed I mean by the farmer; though, I think, whoever would dispute that right might stand upon firmer ground, and make much more of the argument*.”

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These affairs produced, as was anticipated, great debates and strong measures. The business was forcibly adverted to in the King's speech, and afterward introduced to the house by a motion for an address, that all letters-patent, charters, and commissions, subsisting and in force relative to the American colonies, with copies of all orders and instructions given to any officers civil or military, in regard to their government, should be laid before parliament. The motion was negatived; as was another, on the same day, for copies of all letters and affidavits received since the first of January, 1766.

Proceedings
in parliament
relative to
America.
Dec. 1768.

After the recess, a committee of the whole house was formed, to whose inspection a large quantity of papers was submitted. A petition was tendered from Massachuset's Bay, and one from an individual named William Bollan: the former was received, under the express stipulation that it should be considered merely as the act of individuals, and not of a body, since the council had lost their collective character by dissolution: the other was rejected.

15th and
20th Jan.

Petitions.

The committee entered into a general discussion of the American transactions. The Lords had already voted certain resolutions, reciting historically the acts both of the people and legislature of Massachuset's Bay; and an address to the King, praying that he would direct the governor of that colony to transmit the names of the persons most conspicuous in commencing illegal acts since the 31st of December, 1767,

Resolutions.

* Franklin's Memoirs, vol. ii. p. 157.

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1769.

Debates on
the conduct
of the legis-
lature of
Massachu-
set's Bay.

to one of the secretaries of state ; and would, if the information received appeared to afford sufficient ground for such proceeding, issue a special commission for trying the offenders in Great Britain, according to the provisions of the statute 35th Henry VIII.

An animated debate ensued on the question, whether the committee should concur in the resolutions and address. Both the right and expediency of taxing the colonies were ably argued ; and the particular acts of the legislature of Massachusetts Bay, during the last year, were strongly arraigned and defended. Governor Pownall, who fully understood the affairs of America, and had been intrusted with the chief command in Massachusetts Bay, defended the proceedings of the colonists, and denied that the riots on the seizure of Hancock's sloop could have been prevented by the council and assembly*. With respect to the calling of a convention, he admitted that if the select men of Boston had issued writs†, it would have been an usurpation, if not treasonable : but that, by the laws of their country, confirmed by the crown, they were authorized to write letters desiring other towns to appoint committees to convene with theirs. He maintained, that although a convention of states would have been treasonable, a convention of committees was warranted by law, and their proceedings highly commendable. The conduct of Governor Bernard was, on the other hand, warmly defended ; and, after a long and earnest debate, the resolutions and address were agreed to.

8th Feb.

In another discussion, when the report of the committee was presented, Governor Pownall again distinguished himself in opposition to the resolutions and address : he descanted on the constitutions and charters of the different provinces, and contended against the right of internal taxation : he dwelt with great force on the impolicy of urging the Americans to acts of

* Admitting this to be true, which is not exactly so, they could have afforded protection to the custom-house officers, or have taken measures for effectually punishing the insurgents ; neither of which was done.

† This expression was found in the resolutions when first sent down from the Lords ; but the words, " writing letters," were substituted on a motion for an amendment.

resistance; depicted, with truth and precision, the spirit which animated the inhabitants of Massachusetts Bay, and warned the ministry against giving a spring to their fanaticism, and urging them to quit their native characters of husbandmen and merchants, to display their energy in acts of resistance. "That spirit," he said, "which led their ancestors to break off from every thing which is near and dear to the human heart; from every connexion which friendship, relation, blood could give; which led them to quit every comfort that a settled and civilized country (their own native country) could afford, and to encounter every difficulty and distress which a wild wilderness of savages could oppose to them, to struggle even for their existence; that spirit equally strong, and equally inflamed, has but a slight and trifling sacrifice to make at this time; they have not to quit their native country, but to defend it: they have not to forsake their friends and relations, but to unite with and to stand by them in one common union. The only sacrifice they have to make is that of a few follies and a few luxuries. Necessity is not the ground of their commerce with you; it is merely the affectation of your modes and customs; the love for home, as they call England, that makes them like every thing which comes from thence: but passion may be conquered by passion; they will abominate as sincerely as they now love you; and if they do, they have within themselves everything requisite to the food, raiment, or dwelling of mankind, and have no need of your commerce." He then described the resources of the Americans, and the facility with which they could obtain all necessaries without applying to England, and, in conclusion, gave this sane and prudent advice: "Do nothing which may bring into discussion questions of right, which must become mere articles of faith. Go into no innovations in practice, and suffer no encroachments on government. Extend not the power which you have of imposing taxes, to the laying internal taxes on the colonies. Continue to exercise the power,

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“ which you have already exercised, of laying subsidies, imposts, and duties; but exercise this as you have hitherto done, with prudence and moderation, and directed by the spirit of commercial wisdom. This spirit and mode of government will cement again that union which is shattered, if not quite broken; restore that spirit of obedience, which the loss of authority on the one hand, and of affection on the other, has interrupted; and will re-establish the ascendancy, as well as strength, of civil government, which has almost lost its force by losing its authority. Exert the spirit of policy, that you may not ruin the colonies and yourselves by exertions of force.”

Resolutions
carried.Debates on
reviving an
obsolete
statute.

The resolutions and address having been carried, with amendments, and sent back to the Lords for their assent, a motion was made, on their being returned to the Commons, to re-commit the address; and the proposal to revive the obsolete statute of Henry VIII. came more particularly under discussion. The intention was reprobated by Captain Phipps*, who proved that the statute was not, as described, a tyrannical act; but, on the contrary, one of the least exceptionable of a tyrannical reign. It was made before the existence of the American colonies, and was intended to secure to the King's transmarine subjects at Boulogne, and other places, that benefit of which, if revived, it would deprive the Americans,—the trial by jury. He proved that an American, brought to England for trial, could have none of the advantages which the law intends to secure to every one; he could not, with effect, challenge jurors whose characters and connexions were unknown to him; he could not avail himself of the assistance of counsel, to whose abilities and fame he might be a stranger; and no process could issue to enforce an appearance of witnesses from the other side of the Atlantic. “ But, should the culprit, with all these disadvantages, escape,” said Captain Phipps, “ and indeed I do not see how it can happen otherwise, for

* Afterward Lord Mulgrave.

“ the act of the thirty-fifth of Henry VIII. is for treasons committed out of the realm, and the twenty-fifth of Edward III. makes levying war, within the realm, treason ; so that whether America is in or out of the realm, it cannot be within the letter of both these acts ; and I hope there is no latent, obsolete statute, teeming with constructive treason, to be brought forth against these men :—should they, I say, after all be acquitted, what reparation can be made to an ingenuous mind for so foul an imputation as disloyalty ? What reparation can be made to men dragged from the endearments of domestic life, brought from the land of liberty, flowing with milk and honey, to drink at the bitter fountain of oppression ? Will they return less possessed of the confidence of their fellow-subjects, and less inclined to abuse it ? Will they return less convinced of the inconveniences of a dependent state, or less solicitous to shake off the yoke, from this new outrage ? ”

Mr. Grey Cooper assured the house that no intention was entertained of putting the act in execution ; but the address was moved merely to show the Americans what government could do on an emergency. The motion for a recommitment was lost by a great majority*.

The House was again engaged on American affairs, in consequence of a representation from New York, denying the right of parliament to tax them. Lord North opposed the reception of this paper ; which induced Colonel Barré to observe, that he had predicted, on passing the stamp act, what would happen, and feared he could now prophesy further troubles ; if the people were made desperate, finding no remedy from parliament, the whole continent would rise in arms, and perhaps those provinces be lost to England for ever. Some remarks were made on the unproductiveness of American taxes, and the enormous expense attending the collection. Mr. Grenville said there was no medium ; we must either resolve strictly to execute the revenue laws in America, or, with a good grace, abandon our right, and repeal the declaratory

14th Mar.
Debate on
the right of
taxing.

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May.

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1768.
Debate re-
specting
Corsica.

and revenue acts. Mr. Burke answered, there might be, and was, a proper medium; the right of taxing was undoubted; but a minister ought to be well convinced of the expediency before he attempted to enforce it. The representation was not received. At a late period of the session, Governor Pownall moved to repeal the revenue acts affecting North America, and supported his motion by a long and able speech; but, as the discussion of such an important question would protract the rising of the house to a very advanced period, it was postponed till the next session.

The transfer of Corsica to France was an early topic of debate; but produced no interesting remark, or useful information. A motion for the correspondence between the British and French ministry, and for instructions and other papers, introduced a discussion on the value of the acquisition. The opposition maintained that every accession of power to France was dangerous to this country; and, as great attention had been paid for so many years to the maintenance of a proper equilibrium among the powers of Europe, the invasion of that island ought to have been considered as a violent breach of treaty, and subversive of that equilibrium. It was replied, that Corsica was a place of no importance, destitute of a good harbour, and an acquisition that would prove rather an evil than a benefit to France: but, at all events, loaded as we already were with debt, folly and madness alone could impel us to engage in war for so small an object. The motion was rejected.

Nullum
Tempus Bill.

The Nullum Tempus bill of last session was passed; and, on the motion of Governor Pownall, its benefits were extended to America.

28th Feb.
Arrears of
the civil list
discharged.

A message from the King announced a deficiency in the revenue of the civil list, by which he had been compelled to contract debts, amounting to five hundred and thirteen thousand five hundred and eleven pounds, which he requested the House would enable him to discharge. A motion being made for papers to account for this arrear, they were promised by the ministry, but on condition that the King's request should not be delayed, as the papers could not be

readily prepared. After three days of warm debate, the report of the committee was received, and the sum granted.

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2nd Mar.

An advantageous agreement with the East India Company was concluded for five years, during which term they were bound to pay an annuity of four hundred thousand pounds, and to export a certain quantity of British goods. They were at liberty to increase their dividend within that time to twelve and a half per cent. provided the increase in any one year should not exceed one per cent. : a deduction from the sum payable to government, proportionate to any decrease of dividend which necessity might compel, was allowed ; and if the dividend should be reduced to six per cent. the payment to government was to cease ; but any surplus of the Company's cash remaining in England, after payment of certain specified debts, was to be lent to the public at two per cent.

27th Feb.
Agreement
with the
East India
Company.

These were the principal parliamentary transactions of the session, which was terminated by a speech from the throne of considerable length : " It gives me " great concern," the King said, " to be obliged to " recommend, with more than ordinary earnestness, " that you would all, in your several counties, exert " your utmost efforts for the maintenance of public " peace and good order. You must be sensible that " whatever obstructs the regular execution of the laws, " or weakens the authority of the magistrate, must " lessen the only security the people can have for the " undisturbed enjoyment of their rights and liberties. " From your endeavours in this common cause I pro- " mise myself the most salutary effect : on my part no " countenance or support shall be wanting : for as I " have ever made, and ever shall make, our excellent " constitution the rule of my own conduct, so shall I " always consider it equally my duty to exert every " power with which that constitution has intrusted " me, for preserving it safe from violations of every " kind ; fully convinced that in so doing I shall most " effectually provide for the true interest and happiness " of my people."

Prorogation.
9th May.

CHAPTER THE SIXTEENTH.

1766—1770.

Affairs of India.—Conduct of Lord Clive.—State of the Company's possessions.—Mode of letting lands.—Reform attempted.—Difficulties of the Company.—Mismanagement in India.—Immense exportation of bullion.—Gold coined.—Regulation of inland trade.—Lord Clive returns to England.—Account of Hyder Ally—his enmity against the English.—The Nizam of the Deccan declares war—but is compelled to make peace.—Progress of the war with Hyder Ally till the peace.—Effects of the war.—Alarm in England.—Depreciation of India Stock.—Supervisors appointed.—Claims of Government.—Final adjustment.—Perturbation of the public.—Middlesex petition.—London petition.—Publication of Junius's Letters—his libel on the King.—Beckford elected Lord Mayor.—Affairs of Ireland. Augmentation of the military establishment.—Money bill rejected.—The lord lieutenant's protest.—Sudden prorogation of the Irish parliament—its effects.—Motion on the subject in the English House of Commons.

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1766.
Conduct
of Lord
Clive.

LORD Clive displayed equal judgment and prudence in framing and enforcing a system of economy which tended to promote the interest and replenish the coffers of his employers; but the vigour and resolution which he exerted against speculation drew on him virulent censures, and his conduct was arraigned with unsparing severity. It was peevishly alleged that his reforms were not thought of until his own fortune was made; and had the same rigid principles, which he was now inclined to put in practice against his inferiors, been enforced to the prejudice of his interests, he would never have acquired that wealth which many contemplated with envy, and few considered as

the reward of equivalent services. He was accused of arrogance in assuming to himself the merit of the late pacification; as the successes which enabled him to make so good terms were all obtained during his absence, and he arrived only in time to sanction measures, which, without his interference, would have been equally well arranged*.

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The acquisition of an extensive and important territory, abounding in the means of wealth, promised an ample and gratifying return, both to the Company and their servants; but they were too precipitate in their speculations. The riches of that part of India are the produce of laborious industry, encouraged by habitual moderation, and a facility of subsistence. The late revolutions, and the feebleness and vices incident to the government of the nabobs, had exhausted and impoverished the country. The lands which fell into the hands of the Company by the late treaty could not be immediately let to advantage; and the necessity of intrusting inferior agents with a too great portion of authority encouraged abuses.

State of the
Company's
possessions in
India.

The mode of letting farms in India was unfavourable to cultivation, and ill-calculated to produce benefit to the owners. The domains ceded by Mir Cosim were let, in 1762, by public auction, to the best bidders, for the short term of three years. Needy adventurers, without character or integrity, outbid the old farmers, who, having offered the utmost value, according to a well-formed judgment, were obliged to relinquish the habitations they had long tenanted, and the fields they had long cultivated. The new possessors were enabled, by the plunder of those whom they ejected, to pay the first year's rent according to agreement; but afterwards had neither the means nor the inclination. The natives, who took large tracts of land under such disadvantageous circumstances, could not afford to encourage the inferior farmers by loans of money, according to the practice of former times: and

Mode of
letting lands.

* See Letter from Messrs. Leycester and Gray to the Court of Directors, 29th September, 1765, with a parliament speech, and several other letters published by authority. Transactions in India, p. 59.

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Its effects.Reform
attempted.

without such assistance, even the implements of husbandry were wanting. A considerable portion of the renters, incapable of fulfilling their engagements, applied for a discharge in the second year, glad, by foregoing their whole property, to obtain relief from their unprofitable contracts. Thus, under a nominal increase of revenue, the Company suffered a deficiency of real product; and as the demands of ministry and their stated expenses required vast supplies, they were obliged to impose an unprecedented tax on the bazee zemen, or charity lands.

A better administration of the territorial property being indispensably necessary, a strict scrutiny was made into the nature of several tenures. It was discovered, that bidders had been found for little more than two-fifths of the lands, and that the most beneficial leases were held in different names by officers of the Company, and by Gentoo agents acting clandestinely for Europeans. The remainder of the lands in the immediate tenure of the government fell under the care of collectors, who oppressed the people, and accounted in a most dishonourable manner to their employers. The farmers, anxious to retrieve some part of the property which had been taken from them by the hand of rapacity, offered, on condition of receiving a small proportion of the spoil, to lay open all the frauds of the collectors: the first object of the select committee was to remove the oppressive and unjust landholders, and to find good tenants in their stead; this was easily accomplished; for, even at a bad season, substantial natives were willing to take farms on equitable terms, consenting at the same time to pay any general tax imposed on the whole province. The officers of government were also obliged to relinquish the farms which they had clandestinely obtained, or to forego their offices. Thus each individual reaped the benefits of his own labours; the lands became highly cultivated and improved, and the net receipts from the demesnes subject to these beneficial regulations, were largely augmented.

These measures, however wise and salutary in

themselves, created innumerable enemies to the government. Every officer who returned home, or corresponded with his friends, taught disappointment to assume the language of philanthropy and patriotism ; and, considering himself the victim of reform, began to point out faults in the conduct of those who occasioned his complaints. From the reports of these people, and the eagerness of the proprietors of stock to realize advantages which they thought were injuriously withheld, the directors had been driven to declare an increased dividend.

The revenues expected from India would in time have justified their measures ; but some delays were necessary : the government of the English was new, and their acquaintance with the territory, and the genius and resources of the inhabitants, incomplete. No leisure was allowed to perfect their knowledge, or give beneficial effect to their projects. The stated demands of the mogul, the nabob, and the army, the increased dividend voted by the proprietors, and the sums stipulated to be paid to the treasury, formed a mass of engagements, and required such eager and unremitting exertions to obtain supplies, as, in the end, proved highly prejudicial : and the disputes between the Company and their servants breaking out into mutual criminations, afforded means of cavilling to the enemies of the establishment. The great information which was thus afforded of their conduct and proceedings gave so many plausible topics of censure, that their defence always failed of making a due impression ; and the too great eagerness of parliament and the proprietors to derive immediate advantages from the acquisitions in India produced many sinister events, which moderation and forbearance might have prevented.

These circumstances occasioned a large investment to be made by the Company, or, in other words, large orders to be sent for the manufactures of the country, while the price was increased by a competition with the French and Dutch, who now began to dispute a priority and preference in the market. The

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ment in India.

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method of obtaining the supplies or investments had hitherto been by contracts with certain merchants, who advanced to the labourers the sums necessary for their subsistence during the performance of their tasks. Without this accommodation they must often be unable to procure even the first materials. The merchants were sometimes not sufficiently opulent to lend all the monies required for these purposes; and as the demands of the Company were urgent and immense, the government at Calcutta thought it consistent with their interest to afford those supplies, and enter into contracts with the manufacturers, who must else have remained unemployed. This measure, although sufficiently prudent in appearance to justify the experiment, was not attended with the desired success. Contracts made by government are seldom advantageous in the detail, and frauds are practised on them without scruple, which an individual would feel repugnance in attempting toward his equal. Thus the Indian manufacturers, after receiving the sums advanced by the Board, would, unless strictly watched, sell the commodities for which they had contracted to other persons. The necessity for employing vigilance, demanded the service of numerous gomastahs, or agents; these men were necessarily intrusted with extensive powers, which they often perverted; and the authorities given to prevent fraud became the means of oppression. The influence of these agents proved so destructive of industry, that the Board reverted to the old practice of contracting with merchants.

Immense
exportation
of bullion.

The increasing investments of Great Britain and other nations, together with the China trade, which was at that time entirely carried on in bullion, contributed greatly to drain Bengal of current specie. In five years next succeeding the grant of the Dewannee, the sums exported by the English Company only amounted to one million two hundred and eighty-four thousand and eight pounds sterling; and from the year 1757 to 1766, when a gold coinage was commenced, Bengal had lost, by deficiency in the usual imports of bullion, and by the exportation of silver,

more than eight millions sterling. In vain the select committee represented this alarming fact to the court of directors, and requested them to find means of alleviating the growing distress: the directors, assailed by opposition, and urged by government, were unable to apply their attention to so remote an object; perhaps, too, they, like others, were deluded by a belief in the inexhaustible riches of Bengal, and did not give full credit to the informations which reached them: thus the exportation of bullion still continued.

To remedy the deficiency occasioned by this constant drain of silver, the select committee found it necessary to establish a gold coinage for their immediate purposes. But, as gold was not the usual currency of the country, the habits and prejudices of the natives opposed the easy reception of it in payment: it could not be made use of in the China trade, or exported to advantage: proper measures were not taken to ensure its purity, and therefore it was often suspected, and in fact frequently much deteriorated in value: still necessity enforced the use of it as a circulating medium; and the exchange, always against the possessor, by its various fluctuations in different parts of India, gave birth to a dangerous traffic, which increased the distress of the Company. Silver at the same time rose in value, because native officers, who were constantly employed in preserving that coinage unadulterated, melted down the rupees once in three years. Thus the introduction of gold coin, instead of facilitating commerce, and rendering the transaction of business more pleasant, occasioned additional inconveniences, and engendered new disputes.

Another regulation adopted by Lord Clive and the select committee related to the inland trade. The insolence and injustice with which this traffic had been conducted by the servants of the Company, formed a principal ground of the quarrel between the council and Mir Cossim; and when, after the arrival of Lord Clive, the select committee proposed to revive the inland commerce in salt, tobacco, and beetle-nut, it is not surprising that the directors, although they

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Gold coined
in India.

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the inland
trade.

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agreed to permit it for some time, afterwards retracted their assent, expressing a total disapprobation. By the projected monopoly, the necessary article of salt was reduced in price to the consumer, while great benefits accrued to government from an augmentation of the revenue; nor was the native exposed to insolence, injustice, or extortion. The supposed ordinary effect of monopoly, that of producing scarcity, was not to be apprehended in this case; because the advantage of the monopolists did not consist in raising the price of a small quantity, but in dispersing a large quantity at a reasonable rate. The article could, without difficulty, be increased to any amount, and the greater the sale, the more ample was the revenue to government, and the more abundant the profit and the praise of the council. Tobacco and beetle-nut do not appear so much in the light of necessities; but such is the effect of habit among the Indians, that these two luxuries are considered no less indispensable than salt, or even food itself. While the monopoly of these articles remained in the hands of persons appointed by, and under the superintendence of, the council; while an immense capital excluded all mean and narrow views; the supplies were abundant, and the distribution general and easy: but when the order of the court of directors arrived for the discontinuance of this trade by the council, it fell into the hands of individuals, whose interests were different, and whose modes of conduct were also essentially dissimilar. Their object was to produce the greatest possible profit from the smallest imaginable capital, and therefore to take advantage of the wants and desires of individuals, and even of bodies; to alarm by fictitious scarcities, and reduce the quantity of all these articles, that, at a less expense in superintendence, carriage, and duties, they might secure an equal or superior return.

Dec. 1766.

Prudent
conduct of
Lord Clive.

On receiving the Company's orders, Lord Clive carefully excluded their servants from any participation in a traffic, which he foresaw would become a source of endless iniquities: he had before relinquished

his share in the benefits of the trade, and now endeavoured to restrain the abuses which might ensue from Europeans embarking in it with too much avidity. His efforts were not attended with the desired success; but he did not continue in India to witness their failure. His health was impaired, and his life in imminent danger from a late illness. He had completed, to the utmost of his power, the object of his mission, and returned to England, not enriched, but five thousand pounds less opulent by his expedition. Mr. Verelst was for a time his successor*.

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He returns
to England.

Jan. 1767.

Soon after Lord Clive's departure, hostilities were again commenced between the British and the natives, in consequence of the intrigues and turbulence of a newly-created potentate. Hyder Ally, or, as he was called from his military rank, Hyder Naick, was son of Fatty Naick, an officer of distinguished bravery, who commanded a thousand musket men in the service of Abdul Rassoul Khan, nabob of Sirpi, a government bordering on the kingdom of Mysore. Fatty Naick was slain in an engagement between the nabob of Sirpi and Cuttulich Khan, subah of the Deccan. Thus left an orphan in his earliest years, Hyder devoted himself entirely to military duties. At the age of twenty-five, he appeared in the army of Carrasore Nanderauze, brother-in-law to the king of Mysore, at the head of about three-score men, and assumed the name of Hyder Ally. The discipline of his small troop, and his own judgment and valour, were conspicuous; in three or four years, he found himself enabled to raise five hundred sepoy, armed and equipped in the European manner, and two hundred horse, with a small train of artillery. His force was less respectable in point of numbers than of military science; they were formed by his own care, and exactly instructed in the European tactics. His activity and the judicious use he made of all the advantages with which he was supplied by fortune, aided by an ambitious and

Account of
Hyder Ally.

* For these particulars reference has been had to Verelst's View of the English Government in Bengal, with the Appendix; the papers published by authority; and the History of Transactions in India.

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treacherous disposition, enabled him, in 1760, after a series of contests, intrigues, and treasons, to depose his sovereign, and assume the government of Mysore. He then pursued his conquests, and added several other demesnes to his usurped territory.

His enmity
against the
English.

Finding the British power a strong restraint on the native princes, and an insurmountable barrier against his further encroachments, he resolved to excite all the country potentates whom he could influence to commence hostilities; and began by prevailing on the nizam of the Deccan to forego his connexion with the Company, to enter into alliance with him, and declare war against the English.

The nizam
of the Dec-
can declares
war.

They are
defeated.

This combination was soon formed; but the council of Madras were prepared to meet it with vigorous opposition. Colonel Smith, at the head of a respectable force, engaged the allies at Errour, near Trinomaly, and, notwithstanding an immense superiority of numbers, and the personal bravery and judgment of Hyder Ally, routed them with great loss. The nizam of the Deccan, no longer apprehensive of his ally, concluded a peace with the Company, and ceded to them the Dewannee of the Balagat Carnatic, which included the territory of Hyder.

26th Feb.

The nizam
makes
peace.

Capture of
Mangalore.
25th Feb.
1768.

But that chieftain, unsubdued by one reverse of fortune, retired to his own dominions, and prepared to carry on a protracted war in an inaccessible country. The English fitted out a squadron from Bombay against Mangalore, one of Hyder Ally's principal sea-ports; took the fort with considerable loss, and brought away nine large vessels, beside several smaller; from an injudicious anxiety to retain their acquisition, they left a few soldiers to garrison the fort, who were all subsequently captured.

Error of the
English com-
mander.

Sagacious
conduct of
Hyder Ally.

Colonel Smith pursued the enemy, but could not bring him to another engagement. He penetrated into his country, took several fortresses, and was advancing toward the capital, when Hyder Ally, taking advantage of Colonel Smith's error, in proceeding so far from his own territory, by a judicious and dexterous plan of operations, got between the English

forces and the Carnatic, which he ravaged at pleasure. The Company's troops, now obliged to turn their attention to the defence of their own dominions and those of their allies; abandoned all their conquests, and hastened to meet Hyder Ally, who, indulging his ancient animosity against Mahommed Ally Khan, nabob of Arcot, was committing unbounded depredations in his country. Eager to defend so faithful and honourable an adherent, Colonel Smith used every effort to bring Hyder to a general engagement: but that cautious adversary, justly appreciating the superiority of European tactics, would not risk a conflict: no majority of numbers, no advantage of opportunity could for a long time tempt him to try his fate in the field.

At length Colonel Wood, with a small detachment, being repulsed in an attack on a fort called Mulwaggle, Hyder, with fourteen thousand horse, twelve thousand matchlocks, and six battalions of sepoys, attempted to cut off his retreat. Although Colonel Wood had only four hundred and sixty Europeans, and two thousand three hundred sepoys, he felt no hesitation in assailing the enemy. The engagement was obstinately contested, and lasted from eleven o'clock in the forenoon, till five in the evening. The field was alternately won and lost several times; but at length the superiority of British discipline decided the victory; and Hyder retreated, leaving the ground covered with dead. The English lost a few officers, and about three hundred privates were killed and wounded. Several officers were also taken prisoners, and two pieces of cannon fell into the hands of the enemy.

Undaunted by this defeat, Hyder Ally, again availing himself of his superior cavalry, and leaving the British army in the Carnatic, proceeded to the neighbourhood of Madras. The presidency, sensible of the ruinous consequence attending this warfare, and apprized that Hyder was forming an alliance with one of the Mahratta princes, offered a negotiation for peace. The continuance of war was not more desirable to the Indian than to the English; whatever

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Failure of the
British at
Mulwaggle.

4th Oct.
Engagement
between
Colonel
Wood and
Hyder Ally.

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temporary success might crown his arms, he was sensible that it was not in his power to make any impression on the fortresses of his enemy, and that, while at a distance from his own territories, he was exposed to the dangers of insurrection and revolution. In his treaty for peace, he displayed the same judgment as in the conduct of the war: he refused to accede to a proposed truce for fifty days, which would afford time for the English to collect new forces; but agreed to equitable conditions, when proposed within a limited period. The forts and places captured were restored, and no compensations received on either side for the expenses of the war. The treaty of peace was attended with an alliance offensive and defensive: stipulations were entered into for mutual aids, and a free trade established*.

Observations
on the con-
duct of the
war.

Thus terminated a war in which the English acquired neither glory nor advantage. The conduct of it was rendered difficult, and the efforts of skill and valour were palsied, by the appointment of field deputies, an office unknown in the English service. These functionaries attended the army and regulated its motions; they were interested in the contracts, and therefore supposed to be more intent on private emolument than the public good; they protracted the war, embarrassed the genius, and restrained the operations of the commanders. Many brave officers retired in disgust; several who remained served without spirit; and some, preferring to seek their fortunes in another service, went over to the native princes. This disgust and indifference proved of more advantage to Hyder Ally than numbers, discipline, or valour; it enabled him to retrieve his affairs, and compel the British government to sue for peace.

Effects of
the war.

The consequences of this war were incalculably injurious to the affairs of the Company. The presidency of Madras, unable alone to support the expences, was obliged to draw on the council at Calcutta for supplies. The money remitted from Bengal, during

* Robson's Life of Hyder Ally. Transactions in India.

the depreciation of coinage, occasioned additional difficulties; an immense loss ensued from the enhanced rate of exchange; the possessors of silver which could not be adulterated, tenaciously retained them, and very few rupees were in circulation. Owing to the distress thus introduced, the investments could no longer be made from Madras to China, and the want of specie concurred with the dread of the enemy to suspend the labours of the manufacturers. In this crisis, a new subject of alarm arose in Sujah ul Dowlah, who was augmenting and disciplining his forces; but a deputation from the council at Calcutta, sent to examine into his conduct, easily induced him to disband a great part of his troops, and enter into a compact not to increase them beyond a certain stipulated number.

Great alarms were excited in England by the apparent danger of the Company's affairs; those who recently contemplated India as a never-failing source of riches, and as a territory sufficiently opulent to provide for all the exigencies of Great Britain, now considered it as a precarious and perhaps unprofitable tenure. The distance of the country, and uncertainty of information, aggravated the horrors of apprehension, and produced sensations of despair. India stock fell in a few days sixty per cent. Under these circumstances, the directors thought it necessary to send out new commissioners, whom they called supervisors, with authority to examine and rectify the concerns of every department, and a full control over all their servants in India. This important trust was confided to three gentlemen who had already filled high situations in India; Mr. Vansittart and Mr. Scrafton having distinguished themselves in the civil, and Colonel Ford in the military, service.

Still the usual party disputes prevailed in the India house, and great debates arose, not only on the nomination of supervisors, but on their powers. These differences were scarcely terminated, before the directors were further embarrassed by a claim of the ministry, that a servant of the crown should be allowed to take

Alarm in
England.

May, 1769.
Depreciation
of India stock.
14th June.
Supervisors
appointed.

Disputes in
the India
house.

Claim of
government.

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a principal share in the management of their affairs. This demand arose from an application by the court of directors for the employment of a naval force of two ships of the line, and some frigates, in their service ; and as the petition was not immediately acceded to, it was enforced by a request sanctioned by the whole body of proprietors at a general court.

11th Aug.
Correspondence on the subject.

In answer, Lord Weymouth pointed out some objections in law to the commission of supervisors, requesting that it should be re-considered, and requiring that the naval officers sent out by government should have unlimited power in regulating maritime affairs. The jealousy of the court against any attempt to encroach on their authority, on one hand, and their dread of losing the advantages to be derived from a strong naval force, on the other, occasioned numerous and violent debates, and a long correspondence between the directors and the secretary of state. At length a compromise was effected, and Sir John Lindsay, the admiral appointed by government, sailed for the Gulf of Persia, with full powers to make peace and war in Persia only. The supervisors departed in a ship belonging to the Company.

30th Aug.
Final adjustment.

22nd Aug.

Perturbation
of the public.19th April,
1768.

The allusion in the King's speech, at the close of the session, to the perturbed state of the public mind, was strongly founded on fact ; for at no period of history was a more general, audacious, and clamorous opposition exhibited in a regular government. Before the rising of parliament, a letter was received by the speaker of the House of Commons, enumerating supposed encroachments on the liberties of the people, and threatening another revolution*. Every artifice was used to increase the fury of the public, and incite them to make the privilege of petitioning, reserved by the bill of rights, the means of giving pain to the King, and conveying sentiments of disloyalty to the foot of the throne. Among the engines used to forward the views of faction, and keep alive the irritability of the populace, was Allen, the father of the unfortunate youth who was killed in the riot in St.

* Gentleman's Magazine, 1769, p. 213.

George's Fields. A tomb-stone was erected, inscribed on all sides with inflammatory narratives, verses, and texts from the Holy Scripture, describing his fate in acrimonious terms, and invoking vengeance on his murderers*. The parent was also induced to attend at St. James's with a petition, which, in terms of reproach and clamorous invective, demanded justice against "The cruel murderers of his beloved child, " whose blood cried aloud for vengeance."

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The rage of publishing disloyal proclamations, under the form of petitions, was general, and the county of Middlesex took the lead. Fifteen hundred and sixty-five freeholders signed a petition to the King, containing a series of aspersions on his conduct from the period of his accession, accusing the ministers of treason, and praying for their dismissal. The citizens of London adopted a similar measure, and made their conduct still more conspicuous by altercations with the Secretary of State and Lord Huntingdon, on points of etiquette. Their petition was an abstract of that from the county of Middlesex, with some additions, and was presented to the King at a levee. The electors of Westminster petitioned for a dissolution of parliament, and their example was followed by many counties, cities, and towns throughout the kingdom. A few addresses of an opposite tendency were presented.

Middlesex
petition.

24th May.

London
petition.

5th July.

Among the most conspicuous of those whom the rage of political discussion engaged in publications, was an anonymous author, who sent his productions to a newspaper, under the signature of Junius. His essays commenced with the present year, and, with occasional interruptions, continued till the beginning of 1772. In him the ministry found a severe and formidable censor: his information was extensive and minute, and applied to many objects which were supposed to be secret. He detailed, without scruple or delicacy, all the facts in his possession, and often sup-

Publication
of Junius's
Letters.

21st Jan.
1769.

* See Annual Register 1769, p. 116.

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plied a deficiency of information by bold conjecture or shameless fiction. His writings were distinguished by energy of thought, perspicuity of style, felicity of illustration, and brilliancy of wit: but his wit was scurrilous and malignant; wounding, without remorse, the honour of a gentleman, the feelings of a father, and the dignity of a sovereign. Although he made personal topics the principal vehicles of his satire, his knowledge was not confined to mere anecdote, but comprised a general acquaintance with the laws and constitution of the country, the history and usages of parliament. Junius was long the admiration of England; but perhaps his talents were too highly valued. Many political writers before him had possessed his advantages; and whatever opinion may have been studiously diffused respecting his knowledge, wit, and eloquence,—in these requisites he did not excel the great party champions of the late reign, Bolingbroke, Pulteney, and Chesterfield. The secrecy in which he effectually involved his real person was highly advantageous to him as a writer. It furnished him with the opportunity of declaring such sentiments as would be agreeable to the public, without reference to any opinions he might previously have entertained, and enabled him to assail men in every rank and condition of life, without possibility of retaliation, or dread of inquiry. Those who answered, presented a full mark to his assaults; and their principles, manners, professions, and even their habits, were unsparingly attacked, while he remained impassive to reproach, and exempt from the necessity of defence. Perhaps, too, much of the curiosity and eagerness with which his publications were received, resulted from this circumstance. A series of satires presented for so long a period, from one pen, would have ceased to excite regard, had any circumstance respecting the author been known. Those who by his conversation could have learned his sentiments, by his connexions could have divined his motives, or from his pursuits have explored his means of information, would soon have

become languid readers; and the sensation of indifference, spreading from several quarters, would have extended to a general disregard, perhaps to contempt. Even with all the advantages he possessed, Junius, in order to stimulate the public curiosity, was occasionally compelled to assume a tone of ferocity, which reduced his compositions to a level with those of the most profligate libellers, and sanctioned the imputation of a motive for concealment, very remote from an honourable love of freedom in the declaration of his opinions.

Anxious to gratify to the utmost that licentious disposition which procured so much favour to his productions, this writer addressed to the public, through his accustomed channel, a virulent attack on the person, conduct, and government of the King, and threatened general disaffection, rebellion, and revolution, as the result of his present measures. This letter brought on the printer, and several who re-published it, the penalties of the law; but the popularity of the author was not diminished, even when his audacity impelled him to the verge of treason.

With a view to embarrass government, the city of London again nominated Alderman Beckford lord mayor. An attempt was made to prevent his election, by referring to some bye-laws of the corporation, passed in the reigns of Henry VI. and Henry VIII. by which it was declared that the same person could not serve that office twice within seven years; but this objection was over-ruled by precedents. Mr. Beckford, declining the proposed honour, was clamorously urged by the livery, and at length agreed to accept it. Lord Holland, who had been grossly reflected on in the late petition of the livery to the King, wrote to the late lord mayor, requesting to know the author of the aspersion: the livery now passed resolutions, avowing the intention to apply those accusations to Lord Holland, and urging their representatives to procure his impeachment.

While such was the temper of the public mind in England, Ireland was not more tranquil or contented; the octennial act, from which so many beneficial effects

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19th Dec.
His libel on
the King.

Beckford
elected lord
mayor.

22nd Sept.

10th Oct.

Affairs of
Ireland.

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17th Oct.
Augmenta-
tions of
military
establish-
ment.

were expected, was an object of exultation only while it was recent. The great expenses attending elections were severely felt; the constant residence of the Lord Lieutenant, which now first became a part of his duty, gave offence to many who found their power and influence diminished, and a strong opposition was speedily formed. Loyal addresses, in answer to the speech on opening the session of parliament, being voted without much opposition in either house, the government ventured to attempt augmenting the military establishment from 12,000 to 15,235 men. A battalion on the British establishment consisted, at this period, of 529 men; on the Irish, of no more than 328. In consequence of this disproportion, whenever an Irish regiment was ordered on foreign service, it became necessary, before its departure, to complete its numbers by drafts from other Irish regiments; a mode of proceeding equally mortifying and dispiriting to the officer and the private, and extremely detrimental to the service. To remedy this inconvenience, it was proposed to decrease the numbers on the British, and augment those on the Irish establishment. By the new plan, instead of thirty battalions of infantry, twenty-seven only were to be maintained: five in their turn were to be always employed on foreign service; the remaining twenty-two, which, together with the cavalry, would amount to 12,000 men, were to remain for the protection of Ireland. It was also proposed to establish a regular rotation of the infantry, who should relieve each other in their respective situations throughout the King's dominions. A bill to this effect, submitted to a former parliament, had miscarried: it now came recommended by an earnest message from the Lord Lieutenant; and, although strongly opposed, ultimately passed.

Money bill
rejected.

1st Nov.

In another effort, the opposition party was more successful: a money bill had, according to the usage established nearly fourscore years, originated and been framed in the privy council. It was returned from England under the great seal, read in the House of Commons, and, on the second reading, rejected, after

a strenuous debate*; the reason assigned by the House being that it had not originated with them†. Yet, to show, as they said, that they were not actuated by a factious or innovating spirit, they liberally and unconditionally provided for the exigencies of government. The rejected bill only supplied three months' expenditure; but they passed an act which allowed a fund for two years, and amounted to £2,168,681.

This proceeding did not atone to the Lord Lieutenant for the invasion of the royal authority. In a speech to both houses, he returned thanks for the ample supplies, but reproachfully condemned the rejection of the money bill sent from the privy council, asserting that they had violated the law, and intrenched upon the just rights of the Crown: and he made, in full parliament, a protest against the resolutions of the Commons, by which they claimed, that money bills should originate with them; requesting the clerk of the House of Lords to read his protest, and that it should be entered on the journals of the lower house.

The Lord Lieutenant's displeasure was not unknown before he thus declared it; and both houses prepared to meet it with adequate resistance. In the Lords, a motion was made, that directions be given to the speaker not to suffer a protest of any person, who was not a lord of parliament, to be entered on the journals; but the question was over-ruled by a large majority, and the Lord Lieutenant's protest recorded. At the conclusion of his speech, the parliament was prorogued; but the Commons, on returning to their

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Lord lieutenant's
protest.
26th Dec.

Proceedings
thereon.

Prorogation
of the Irish
parliament.

* 94 to 71.

† In a London newspaper (the Public Advertiser) this vote was the topic of severe animadversion. Hibernian patriotism was termed a transcript of that filthy idol worshipped at the London Tavern; the refusal of the bill was described as a violation of the constitution, and more befitting an army of White Boys than the grave representatives of a nation. It must be counteracted with firmness; the refractory house should be dissolved, and if the same spirit of obstinacy should continue in a new parliament, Great Britain should not permit the service of the nation to remain undone on account of the factious obstinacy of a provincial assembly; for they had an undoubted right to vote the Irish supplies, and so save a nation that their own obstinate representatives were endeavouring to ruin. This scurrilous nonsense might well have been passed over with silent contempt, or at most have been the subject of a few observations from some member; but it was deemed of higher importance; it was voted to be a false and infamous libel, and in pursuance of a solemn vote burnt by the hangman at the door of the House. Plowden, vol. ii. p. 398.

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XVI.

1769.

Incon-
veniences of
the measure.

own house, forbad their clerk to enter the speech on the journals, as it implied a protest against a proceeding in which they were determined to persevere.

The sudden prorogation of parliament at a period when they had done no business, except voting supplies to government, excited much resentment. The temporary laws which related to so many important objects were expired, and the regulations of trade, the public security, the supply of the capital, and the public charities, were left in an unprovided state : consternation, distress, and discontent were loudly expressed in all quarters, and the whole kingdom was in disorder. The prorogation was long afterward mentioned as a most dishonourable transaction, and it was confidently averred to have caused an expenditure of half a million, employed in acts of seduction and corruption*.

1770.

May 3.
Motion in the
English
parliament.

The honourable Boyle Walsingham, in the ensuing session, made a motion, in the English House of Commons, for a copy of instructions given to the Lord Lieutenant on this subject ; it was supported and its requisition augmented by Mr. George Grenville. Sir William Meredith spoke in favour of it ; but, after some observations from Lord North, it was lost on a division†.

* The honourable Boyle Walsingham, in the ensuing Debates of the Irish parliament, vol. ix. p. 181—Plowden's History of Ireland, vol. ii. p. 251—Memoirs of Henry Grattan, vol. i. p. 97.

† 178 to 66.

CHAPTER THE SEVENTEENTH.

1770.

Meeting of parliament.—King's speech.—Address opposed by Lord Chatham—supported by Lord Mansfield.—Lord Chatham's reply.—Speech of Lord Camden.—Address opposed in the House of Commons—but carried.—Second debate.—Strength of opposition.—Conduct of Lord Camden—his dismissal.—Mr. Yorke appointed lord chancellor—his death—and character.—Great seal put in commission.—Motion in the lords for a committee on the state of the nation.—The Marquis of Rockingham's speech.—Answer of the Duke of Grafton. Lord Chatham.—Total change of ministry.—Lord North's ministry.—Committee on the state of the nation formed in the House of Commons.—Motion by Searjeant Glynn to withhold the supplies.—Mr. Dowdeswell's motion in the Committee.—Proceedings in the House of Lords.—Committee dissolved.—Motion of the Earl of Marchmont, affirming that the House of Lords had no right to interfere in the decisions of the House of Commons—supported by Lords Mansfield and Egmont—opposed by Lord Chatham.—Altercations respecting the official conduct of Lord Camden—vindicated by Lord Chatham.—Lord Marchmont's motion carried.—Bill for regulating the consequences of expulsion withdrawn.—Turbulence of the city of London.—Proceedings of the common council and livery—their remonstrance to the King—delivery to him on the throne—his answer.—Proceedings in Parliament.—Address of both Houses.—Remonstrances of Westminster and Middlesex.—Wilkes liberated.—Lord Chatham's bill for reversing the decision of the House of Commons in his case—debates on

it—rejected.—Lord Chatham's motion on the answer to the London remonstrance—debate—motion rejected. — Lord Chatham's motion for a dissolution of parliament—rejected. —Mr. Dowdeswell's motion to disqualify revenue officers—rejected.—Law for annulling the protections granted by peers to their servants.—Lord Mansfield's speech in support of the measure.—Mr. Grenville's bill for deciding petitions on controverted elections.—Inquiry into the civil list.—Petition from American merchants.—Repeal of duties, except on tea.—Debate.—Act passed.—Motion for papers—for examination of the instructions to governors.—Motions in the lords.—Prorogation.

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1770.
9th Jan.
Meeting of
parliament.

WHEN the British parliament assembled, the King, in his speech, mentioned the affliction he felt at being obliged to acquaint them that the distresses of the subject were likely to be augmented by a distemper, which had recently appeared among the horned cattle*; but, by the advice of the privy council, he had used his best efforts to stop the progress of the contagion. He observed, that the great burthens already imposed on his subjects, by the necessity of bringing the late war to a prosperous conclusion, made him vigilant to prevent the present disturbances in Europe from extending to those places where the security, honour, and interest of this nation might make it necessary for him to become a party: and that he had great hopes of maintaining the country in peace. He adverted with regret to the dissatisfactions still prevailing in America, and the combinations tending to destroy the commercial connexion between the colonies and the mother-country. In conclusion, he recommended both houses to avoid heats and animosities, and cultivate a spirit of harmony, which would, above all things, contribute to maintain, in their proper lustre, the strength, reputation, and prosperity of the country, and strengthen the attachment of the subject to that excellent constitution

* This speech was unsparingly ridiculed in the public prints, and the session was nick-named the *horned-cattle session*.

of government from which they derived such distinguished advantages.

Lord Chatham, no longer disabled by those infirmities which had so lately prevented him from giving aid to his sovereign in times of pressing exigency, or even attending to the communications on public affairs made to him by his colleagues, now appeared in the House of Lords, the active and vigorous leader of opposition. If his maladies were not removed, they were so far subdued that no sign or effect of them was apparent in his speeches. He began an opposition to the address, by observing that, although his age and infirmities would have formed a sufficient excuse, if he had continued in retirement, and never again taken a part in public affairs, the alarming state of the nation forced him to come forward, and execute that duty which he owed to his God, his sovereign, and his country, and which he was determined to perform at the hazard of his life. He approved of the prudent measures taken with respect to the distemper among cattle; a power, in some degree arbitrary, was intrusted to the crown by the constitution; he himself had exercised it to save the people from famine.

With this observation his approbation of the measures of government ended. The peace, he averred, had been made so improvidently, as to leave the country without a single ally; so that during a peace of seven years, we had been continually on the verge of war, while France had carefully cultivated her alliances, especially with Spain, and thus the whole house of Bourbon was united within itself, and supported by the closest connexions with the principal powers in Europe.

But he considered our domestic situation as demanding still greater attention. He lamented the unhappy measures which had divided the colonies from Great Britain, and which he feared had drawn them into unjustifiable excesses; but as the house had no documents, he could not concur in calling their proceedings unwarrantable: to use such an expression was passing sentence without hearing the cause, or

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The address
opposed by
Lord Chat.
ham.

being acquainted with the facts. The discontent of two millions of people deserved consideration, and the foundation of it should be removed ; for we should be cautious not to invade the liberties of any part of our fellow subjects, however remote in situation, or unable to make resistance: the Americans had purchased their liberty at a dear rate, by quitting their native land, and going to seek it in a desert.

The parts of the address already adverted to, he said, bore no comparison, in point of interest, to those which remained. There never was a time when the unanimity recommended by the King was more necessary: and it was the duty of the house to inquire into the causes of the notorious dissatisfaction expressed by the whole nation ; to state them to their sovereign, and to give him their best advice how to act. The privileges of that house, however transcendant, however appropriate, stood, in fact, on the broad bottom of the people: the rights of the greatest and meanest subjects had the same foundation, the security of the law, common to all ; and it was therefore their highest interest, as well as their duty, to watch over and guard the people ; for when the people had lost their rights, those of the peerage would soon become insignificant. “ Be assured, my lords,” he continued, “ that in whatever part of the empire you suffer slavery “ to be established, whether it be in America, in Ireland, “ or at home, you will find it a disease which spreads “ by contact, and soon reaches from the extremities “ to the heart. The man who has lost his own freedom, becomes from that moment an instrument, in “ the hands of an ambitious prince, to destroy the “ freedom of others.” He then affirmed that the liberty of the subject was invaded, not only in the provinces, but at home. The people were loud in their complaints, and would never return to a state of tranquillity till they obtained redress ; nor ought they ; for it were better to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expense of a single iota of the constitution. He had no doubt the universal discontent of the nation

arose from the proceedings against Mr. Wilkes, and therefore moved an amendment to the address, purporting, that "the House would with all convenient speed take into consideration the causes of the prevailing discontent, and particularly the proceedings of the House of Commons touching the incapacity of John Wilkes; thereby refusing (by a resolution of one branch of the legislature only) to the subject his common right, and depriving the electors of Middlesex of their free choice of a representative."

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1770.

Lord Mansfield opposed the amendment. He had never delivered an opinion on the legality of the proceedings in the House of Commons on the Middlesex election; nor should he, whatever expectations might be formed, now declare his sentiments. They were locked up in his own breast, and should die with him: he wished to avoid speaking on the subject: but the motion was of a nature so extraordinary and alarming as to preclude the possibility of his remaining silent. He acknowledged the distracted state of the nation; but was happy with a safe conscience to affirm, that it could in no respect be attributed to him. Declarations of law made by either House of Parliament were always attended with bad effects: he constantly opposed them when he had an opportunity, and never in his judicial capacity thought himself bound to honour them with the slightest regard. He considered general warrants illegal, or rather no warrants at all; but was sorry the House of Commons should declare it by their vote. Had they been declared legal, the courts at Westminster would have adjudged otherwise, and thus the vote of the House would have been treated with disrespect.

Supported
by Lord
Mansfield.

He shewed the distinction between general declarations of law, and particular decisions which might judicially be made by either House, on a case regularly submitted to their discussion, and properly the subject of their jurisdiction. A question relating to the seat of one of their members could only be determined by that House; nor was there an appeal from their decision.

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Wherever a court of justice is supreme, and their sentence final, as was the case of the House of Commons in matters of election, the determination of that court must be received and submitted to as the law of the land; for if there be no appeal from a judicial sentence, where shall that sentence be questioned, or how can it be reversed? He avoided entering into the merits of the late decision, from a conviction that the lords had no right to enquire into or discuss the subject. The amendment threatened the most pernicious consequences, as it manifestly violated every form and law of Parliament, was a gross attack on the privileges of the House of Commons, and, instead of promoting that harmony which the King had recommended, must inevitably throw the whole country into a flame. There never was an instance of the Lords inquiring into the proceedings of the House of Commons with respect to their own members; much less of their assuming a right to censure, or advising the crown to notice such proceedings.

The amendment would inevitably occasion a quarrel between the two Houses, or between the King and the Commons. If the lower House had acted wrong, that wrong would not be repaired by the Lords committing a still greater error. Their proceedings would, in fact, be no less ineffectual than irregular; for, supposing the King should dissolve the Parliament, which he presumed to be the true object of the amendment, the next House of Commons, if they knew any thing of their own privileges, or of the laws, would undoubtedly, on the first day of the session, declare the proceeding a violation of the rights of the Commons. In acting otherwise, they would shamefully betray their constituents and themselves. In conclusion, he objected to the amendment, as irregular and unparliamentary, pregnant with pernicious consequences, and not calculated to produce any advantage.

Lord
Chatham's
reply.

Lord Chatham began his reply by extolling the use of common sense, in opposition to subtilty and ingenious refinement. He complained that the meaning of his amendment had been misrepresented, and denied

having, either in the amendment or in discourse, said one word touching the merits of the Middlesex election.

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“The constitution of the country,” he observed, “has been openly invaded, in fact; and I have heard, with horror and astonishment, that invasion defended upon principle. What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without leave, nor speak of without reverence; which no man may question, and to which all men must submit? I thought the slavish doctrine of passive obedience had long since been exploded; and, when our Kings were obliged to confess their title to the crown, and the rule of their government had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legislature. Power without right is the most odious and detestable object that can be offered to the human imagination: it is not only pernicious to those who are subject to it, but tends to its own destruction. It is, as Littelton has truly described it, *res detestabilis et caduca*.—I acknowledge the just power, and reverence the constitution of the House of Commons. For their own sake, I would prevent their assuming a jurisdiction which the constitution has denied them, lest, by grasping at an authority to which they have no right, they should forfeit that which they legally possess. But I affirm they have betrayed their constituents, and violated the constitution. Under pretence of declaring the law, they have made a law, and united in the same persons the offices of legislator and judge.”

His Lordship then distinguished between the legislative and jurisprudential functions of the House of Commons, denying that they had a supreme jurisdiction, or that their decision must be received and submitted to, as, *ipso facto*, the law of the land. “The noble Lord assures us he knows not in what code the law of Parliament is to be found; that the

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“ House of Commons, when they act as judges, have
 “ no law to direct them, but their own wisdom ; their
 “ decision is law ; and if they determine wrong, the
 “ subject has no appeal but to Heaven. What, then,
 “ are all the generous efforts of our ancestors ? are all
 “ those glorious contentions, by which they meant to
 “ secure to themselves, and transmit to their posterity,
 “ a known law, a certain rule of living, reduced to
 “ this conclusion, that instead of the arbitrary power
 “ of a King, we must submit to the arbitrary power
 “ of a House of Commons ? If this be true, what
 “ benefit do we derive from the exchange ? Tyranny
 “ is detestable in every shape, but in none so formi-
 “ dable as where it is assumed and exercised by a
 “ number of tyrants. But, this is not the fact, this is
 “ not the constitution ; we have a law of parliament,
 “ we have a code in which every honest man may find
 “ it. We have Magna Charta, we have the Statute
 “ Book, and the Bill of Rights. The people, when
 “ they choose their representatives, never mean to con-
 “ vey to them the power of invading the rights, or
 “ trampling on the liberties of those whom they repre-
 “ sent. What security would they have for their
 “ rights, if once they admitted that a court of judica-
 “ ture might determine questions, not by any known
 “ positive law, but by some vague, indeterminate, ar-
 “ bitrary rule ? ”

He denied precedents to be law ; they were merely
 evidences of law, and of no authority, unless founded
 on and confirmed by reason, taken from good and
 moderate times, not contradictory to any positive law,
 submitted to without reluctance by the people, unques-
 tioned by the legislature, and not inimical to the spirit
 of the constitution. “ The first principle of the con-
 “ stitution is, that the subject shall not be governed by
 “ the *arbitrium* of any one man, or body of men (less
 “ than the whole legislature), but by certain laws, to
 “ which he has virtually given his consent, which are
 “ open to him to examine, and not beyond his ability
 “ to understand. But the late decision of the House
 “ of Commons on the Middlesex election is destitute

“ of every one of those properties and conditions which I hold to be essential to the legality of such a decision. It is not founded in reason, it is not supported by a single precedent, and it contradicts Magna Charta and the Bill of Rights. Whether it be questioned by the legislature, will depend on your Lordship’s resolution; but that it violates the spirit of the constitution, will, I think, be disputed by no man who has heard this day’s debate, and who wishes well to the freedom of his country: yet, if we are to believe the noble Lord, this great grievance, this manifest violation of the first principles of the constitution, will not admit of a remedy; is not even capable of redress, unless we appeal at once to Heaven. My Lords, I have better hopes of the constitution, and a firmer confidence in the wisdom and constitutional authority of this House.” After highly applauding the ancient nobility as founders of the constitution, and invoking the House not to degenerate from the glorious example of their ancestors, he said, “ Those iron barons (for so I may call them when compared with the silken barons of modern days) were the guardians of the people; yet their virtues were never engaged in a question of such importance as the present. A breach has been made in the constitution—the battlements are dismantled—the citadel is open to the first invader—the walls totter—the constitution is not tenable. What remains, then, but for us to stand foremost in the breach, to repair, or perish in it?”

Great pains had been taken, Lord Chatham said, to excite alarm, by displaying the consequences of a difference between the two Houses. He was sensible of the importance and difficulty of the crisis, but distinguished between the representatives and the collective body of the people; he was desirous, if the House must engage in contention, to have the nation on their side. “ If this question be given up,” he said, “ the freeholders of England are reduced to a condition baser than the peasantry of Poland. If they desert their own cause, they deserve to be slaves.

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"I am not now pleading the cause of an individual, but of every freeholder in England. In what manner this House may constitutionally interpose in their defence, and what kind of redress this case will require and admit, is not the present subject of consideration. The amendment, if agreed to, will naturally lead us to such an inquiry. That inquiry may, perhaps, point out the necessity of an act of the legislature, or it may lead to a conference with the other House. It is possible that the inquiry may lead us to advise His Majesty to dissolve the parliament; nor have I any doubt of our right to give that advice, if we should think it necessary. His Majesty will then determine whether he will yield to the united petitions of the people of England, or maintain the House of Commons in the exercise of a legislative power, which heretofore abolished the House of Lords, and overturned the monarchy. I willingly acquit the present House of Commons of having actually formed so detestable a design; but they cannot themselves foresee to what excesses they may be carried hereafter; and, for my own part, I should be sorry to trust to their future moderation. Unlimited power is apt to corrupt the mind; and this I know—that where the law ends, tyranny begins!"

Lord
Camden.

The warmth of Lord Chatham seemed to communicate itself to Lord Camden*. He said, "I accepted the great seal without conditions; I meant not therefore to be trammelled by His Majesty—(I beg pardon) by his ministers; but I have suffered myself to be so too long. For some time I have beheld, with silent indignation, the arbitrary measures of the minister; I have often drooped and hung down my head in council, and disapproved, by my looks, those steps which I knew my avowed opposition could not prevent; I will do so no longer, but openly and boldly

* In former publications of this volume, this speech was inserted as standing in the authorities I could then consult. I have never heard its authenticity questioned; but it is not given, or even alluded to, in the Report of Proceedings in the Parliamentary History, prepared by Mr. (Sir Philip) Francis.

“speak my sentiments.” He coincided in opinion with Lord Chatham respecting the incapacitating vote of the House of Commons; and added, that if, in giving his opinion as a judge, he were to pay any respect to that vote, he should look upon himself as a traitor to his trust, and an enemy to his country. The ministry, he said, by their violent and tyrannical conduct, had alienated the minds of the people from His Majesty’s government,—he had almost said, from His Majesty’s person; and, in consequence, a spirit of discontent had spread itself into every corner of the kingdom, and was every day increasing; and, if some methods were not devised to appease the clamours so universally prevalent, he did not know but the people, in despair, might become their own avengers, and take the redress of grievances into their own hands. In fine, he accused the ministry, though not in express terms, yet by direct implication, of having formed a conspiracy against the liberties of the country. The amendment was negatived.

In the House of Commons, the address, moved by Sir George Osborne and seconded by Mr. Ralph Payne, was no less strenuously opposed; and an amendment was moved by Mr. Dowdeswell, and seconded by Alderman Beckford, “that the House would take into consideration the causes of the unhappy discontents which prevailed in every part of His Majesty’s dominions.” The debate on this motion lasted twelve hours, and was of fierce invective and bitter acrimony. The chief opponents of government, beside the two proposers of the amendment, were, Lord George Sackville, Sir George Savile, Sir Anthony Abdy, Serjeant Glynn, Colonel Barré, General Conway, Mr. Burke, and to them must be added Mr. Dunning, although he was still solicitor-general. On the other side were, Sir Edward Hawke, first lord of the Admiralty, Lord Clare, Mr. De Grey, attorney-general, Mr. Thomas De Grey, Mr. Jenkinson, Mr. Rigby, Mr. Dyson. and Lord North.

Address in
the House
of Commons.

Beginning with the horned cattle, the members of opposition treated the mention of them as a mere ar-

tifice to divert the attention of parliament from objects of much higher importance. While the whole British empire echoed with complaints of violated rights, the minister produced a tedious account of a distemper among cows. It might be swelled into importance by tropes and figures; but, in fact, this distemper, which was represented as likely to overwhelm us with a deluge of distress, and leave us to perish with hunger, was nothing more than an invention of Lord Northington's tenants, to procure a quick sale for their cattle. This part of the speech might be an allegory. Change only the words "distemper" into "discontent," "horned cattle" into "liverymen of London," "first appearance" into "Middlesex election," and "stopping its progress" into "the massacre in St. George's Fields," and the matter would appear an intended burlesque on the people's petitions.

To such observations no answer could be given, but an assertion of the fact, and of the duty of government to take care that food for the poor should not be rendered unattainable.

On the subject of petitions, many more observations were made. They were not, it was said, produced in the dark, or in a corner; they were the work of noon-day, and fabricated, as it were, upon the house-top.

It was observed, on the other side, that they had been obtained by effort and intrigue; by persons who were termed petition-hunters; framed in the same terms, signed by ignorant and deluded individuals, and not by the really respectable, wealthy, and well-informed portions of the counties and places from which they were said to proceed. The complaints originated in newspapers, grievance-mongers, incendiaries, and petition-hunters: some who had no grievances were persuaded that they were aggrieved; and others had been prevailed upon to say so, even without being persuaded. They were taught to believe that a petition will pull down the minister; and, if he were pulled down, there would be neither tithes, turnpikes, nor taxes. Low and illiterate people had been

wrought upon by such representations, while the more opulent and better-informed classes had kept aloof from their society. The discontents, which were held up as spectres denouncing the subversion of government, were nothing more than the senseless clamours of the thoughtless and the ignorant, the lowest of the rabble. Naturally abhorring all government, they were easily excited to resist the best, by any pretence, however shallow. The late petitions could not be said to be promoted by men of worth and probity. In Westminster, for example, out of twenty-five thousand respectable inhabitants, many of them of the first distinction, two only in the rank of gentlemen would be found to have countenanced the petition. Similar observations were made with respect to that from Surrey.

To these assertions, direct contradictions were offered; particularly with respect to the county of Surrey, in which it was maintained that a great majority of the freeholders, many of them persons of ample property, had concurred; and, while such expressions as petition-hunters and incendiaries were strongly censured, it was maintained that, in great and wealthy counties, the people, far from being impelled, had been anxious to petition, and had solicited support, instead of being incited to act.

On Mr. Wilkes's expulsion, and the subsequent proceedings, which were justly considered as the principal foundation for the prevailing discontent, arguments on both sides were urged, with the heat inseparable from the subject: the right of the house to form its decision, and their duty to persevere in it when formed, were urged on the one hand; while, on the other, it was insisted that the house assumed a tyranny, in claiming to be a tribunal without appeal or control, and able, by their non-authority, to contravene the law of the land. By that law, no man could sit in parliament who was not returned by a majority of his constituents; yet they had seated one avowedly rejected by such majority. Without diminishing their dignity, they could rescind their unjust or mistaken proceeding, just as the whole legislature could repeal the statute which itself had made.

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1770.

Some portion of opposition was founded on the supposed preparations for war in France and Spain, while we were utterly unprepared. France was said to be arming in all her ports, and, although beaten, during the last war, by a series of unexampled successes, preparing vigorously for future conquests. Spain was arming with the same diligence; and already there were troops in America, menacing our colonies. Such statements from Alderman Beckford were briefly and effectually answered by Sir Edward Hawke, first Lord of the Admiralty, who said he had been in France during the last summer, and, from observations made personally by himself, was enabled to pronounce, that the French were not in a condition to go to war.

Among other intemperate charges brought against ministers, it was advanced, as a not uncharitable supposition, that they might hope, by their repeated outrages, to provoke the spirit of the people to the last extremity, that they might wreak their vengeance on such as were brave enough to risk their lives in support of the constitution. They might wish for a repetition of the bloody massacre of St. George's Fields, or for a more bloody massacre among the petitioners. If the address, as moved, were permitted to pass, it would be understood that His Majesty approved of the violences of which his people complained. And although, in the generous, unsuspecting frankness of his nature, he might not perceive to what an unhappy catastrophe the perfidy of his ministers might lead, yet it was the duty of Parliament to guard him against the insidious artifices of those who, having rendered themselves odious by their conduct, endeavoured to render themselves secure by their cunning. To such invectives only one sort of answer could be given. The charge of alienating the affections of the people from their Sovereign must come with a very ill grace from the leaders of the opposition, who were incessantly labouring to persuade them that he did not deserve their affection, by speeches and writings beyond all example virulent and inflammatory; from those factious spirits, the only genuine mal-contents in the kingdom, who run from place to place, collect a crowd together, and abuse the

credulous people by abusing alike His Majesty and his ministers. If His Majesty's subjects were disaffected, those trumpeters of sedition had produced the disaffection ; and it was nothing more than the effect of their artifices that they retorted as a reproach upon administration.

Throughout the debate, a tone of violence, and even of scurrility, was maintained by some members, the absence of which would have been more conformable to the dignity of Parliament. The amendment was rejected*.

On reporting the address, another debate arose, in consequence of an objection made by Sir William Meredith, that to thank the King for his approbation of the conduct of the House would imply an approval of the decision respecting the Middlesex election. Sir George Savile accused the House of having betrayed the rights of the people. He was called to order ; and General Conway, in reproof of his intemperance, observed, it was an insult to parliament, and members had been sent to the Tower for such words. Sir George Savile was defended by Serjeant Glynn ; Mr. Burke spoke on the same side, and, conscious of the popularity of the cause, challenged the ministry to punish Sir George, if he was a delinquent. He said, the people abhorred the ministry, and asked the Speaker if the chair did not tremble under him. Sir George Savile ostentatiously repeated the offensive words ; which occasioned Mr. Fox to observe, that, from the licentious language of some gentlemen, on that and the preceding day, it seemed as if the old decent freedom of debate was at an end, and they were endeavouring to establish new forms. The expression in the address did not allude to any particular measure of parliament, nor to every measure, as no one could suppose His Majesty approved of every resolution adopted by the House, but only of the general tenour of their actions. Mr. Burke replied with a sneer, it signified little what the House meant, but how the people would estimate their conduct ; he was, however, glad to hear

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But carried.

10th Jan.
Second
debate.

* 254 to 138.

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Strength of
opposition.

that nothing was meant by the address. There was no division*.

The strength displayed by the opposition, and the popular ground on which they stood, were sufficient indications that great efforts had been used during the recess to unite the several parties into one consistent, uniform body; the resignation of Lord Chatham, and his opportune recovery of health and faculties, affording him the means of again taking the lead of an active party, and of reviving his declining popularity. The reconciliation between him and Lord Temple united Mr. Grenville and his friends in their interests; a combination was speedily formed between them and the Rockingham party, which included many of the first characters, both for talents and respectability, in both Houses. A division was also effected among the ministry; for, besides Lord Camden, whose conduct in the upper House was so remarkable, Mr. Dunning, solicitor-general, and the Marquis of Granby, commander in chief of the forces, divided with the minority in the House of Commons.

Conduct of
Lord
Camden.

From Lord Camden's intemperate manner of declaring his opposition, it could not be expected that he should retain his situation of chancellor; in fact, his dismissal was anticipated, and every effort used to embarrass the government, and render it impossible to find a successor. On the day the address was debated in the House of Lords, the Marquis of Rockingham moved that they should be summoned on the morrow, as he wished to make a proposal of great national importance; but Lord Pomfret moved an adjournment for a week, a delay which was received with great indignation by the minority. Lord Temple said, the House knew for what purpose the adjournment was required; it was to settle the disordered state of the administration, which was shattered in a most miserable manner, and, in all likelihood, would soon

* This debate is entitled to notice, as containing the first recorded parliamentary essay of the Honourable Charles James Fox. In the Parliamentary History, this, with the foregoing, appears as one debate. The difference is not in itself of any importance.

fall to pieces; and particularly to dismiss the virtuous and independent Lord who sat on the woolsack, and supply his place with some obsequious lawyer who would do as he was commanded. Lord Shelburne also observed, that after the dismissal of the present worthy chancellor, the great seal would go a-begging; but he hoped there would not be found in the kingdom a wretch sufficiently base and mean-spirited to accept of it on such conditions as would gratify the ministry.

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The seal was taken from Lord Camden, and offered to Mr. Yorke, who had twice filled the office of attorney-general with the greatest reputation for talents and integrity. The unsettled state of parties, and the gloomy complexion of affairs, naturally occasioned him to feel considerable reluctance at undertaking the office at that particular time. Nothing probably could have overcome his repugnance, but the earnest manner in which his acceptance of the great seal was pressed upon him, by the King himself, as most essential to his service. Thus urged, Mr. Yorke determined to obey the commands of his Sovereign, without reversionary conditions or stipulations. He was immediately raised to the peerage by the title of Baron Morden, of Morden in Cambridgeshire; an honour he did not live to possess, as the patent was not completed before his death, which occurred three days after he had received the great seal.

His dis-
mission.

17th Jan.
Mr. Yorke
appointed
lord-chan-
cellor.

His death
20th Jan.

Mr. Charles Yorke, second son of Philip, first Earl of Hardwicke, was born in 1723. He had studied the laws and constitution of his country, and their application to the science of politics, in the best school of the age; he was no less eminent at the bar than in the estimation of the most enlightened statesmen. His extensive literary acquirements, his great abilities, and the integrity of his character, were well known and universally respected. He was appointed solicitor-general in 1756; and, while he held the office of attorney-general, was deservedly high in the confidence of the administration and of his country. His probable elevation to the dignity of chancellor had been long contemplated with hope and expectation by

And cha-
racter.

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Great seal
put in com-
mission.

22nd.
Resignations.

22nd.
Motion for
a Committee
on the State
of the nation
in the Lords.
Marquis of
Rocking-
ham.

the public, and consequently his death was considered highly prejudicial to the interests of the nation; as, had he lived, a firm and comprehensive system of administration might have been formed, and conciliatory measures adopted toward the American colonies.

After the death of Mr. Yorke, the great seal was offered to Sir Eardly Wilmot, and to Lord Mansfield; but, both declining, it was put in commission; and Lord Mansfield was appointed Speaker of the House of Lords until there should be another chancellor.

The removal of Lord Camden was followed by several resignations; the Marquis of Granby gave up all his places, except the regiment of Blues; a measure in which he yielded to the pressing solicitation of Lord Chatham, and resisted those of the King*; the Duke of Beaufort vacated his situation of master of horse to the Queen; the Duke of Manchester and the Earl of Coventry renounced their posts as lords of the bedchamber; the Earl of Huntingdon his place of groom of the stole; and Mr. James Grenville his office of one of the vice-treasurers of Ireland. Mr. Dunning, the solicitor-general, also resigned.

During these transactions, the sittings of the Lords were suspended by adjournment, and no business of importance took place in the Lower House, owing to the indisposition of the speaker. The Marquis of Rockingham had given notice of his intention to move for a day for considering the state of the nation, and, after the adjournment, made his motion. The present unhappy condition of affairs, and universal discontent of the people, he said, did not arise from any immediate temporary cause, but had grown by degrees from the moment of His Majesty's accession. The persons in whom the King then confided had introduced a total change in the old system, and adopted a maxim which must prove fatal to the liberties of the country, that the royal prerogative alone was sufficient to support government, to whatever hands it might be committed: and the Marquis, reviewing the acts of ministers from

* Lord Chatham's Correspondence, vol. iii. pp. 384, 390, 391, 392, 394, 396.

the beginning of the reign, ascribed them all to the prevalence of that principle. Having expressed his disapprobation of many early transactions, he came to those of the last preceding years: spoke with great severity of the manner in which the civil-list arrears had been paid; censured the grant of Inglewood forest, which he asserted was made merely for the sake of carrying the prerogative to its utmost extent; condemned the indecent hurry and precipitation with which that affair had been concluded, to prevent the Duke of Portland from vindicating his title; and accused the ministry of resisting the introduction of the Nullum Tempus Bill.

The external affairs of the empire, the Marquis averred, had been conducted with the same want of wisdom, and brought into nearly the same condition, with those at home. In Ireland, the parliament was prorogued, which probably led to a dissolution, and the affairs of the kingdom unprovided for, and in confusion. He equally disapproved the proceedings with respect to America, which he maintained were conducted on no fixed principle. The King's speeches and the language of ministry had denounced nothing but war and vengeance against a rebellious people; whilst the governors abroad were instructed to convey the gentlest promises of relief and satisfaction.

The Marquis, after condemning the supineness of ministry, in permitting France to obtain so valuable a dominion as Corsica, said, he avoided dwelling so strongly as he might on the great invasion of the constitution, which had thrown the whole country into a flame. "When the constitution is violated," he said, "we should not content ourselves with repairing the single breach, but look back into causes, and trace principles, in order, not merely to restore the constitution to present health, but render it, if possible, invulnerable hereafter." Upon the whole, he strongly recommended the appointment of an early day for investigating the state of the country, in all its relations and dependencies, foreign, provincial, and domestic. In consequence of that consideration, the House would,

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Duke of
Grafton.

he hoped, indicate to the crown, the means not only of correcting past errors, but of establishing a system more wise, more permanent, better suited to the genius of the people, and, at least, consistent with the spirit of the constitution.

The Duke of Grafton said, he had no intention to oppose the motion; on the contrary, he engaged to second it, and meet the great question whenever the House should think proper. For the present, he only meant to exculpate himself from reflections which seemed to apply particularly and personally to him. He vindicated the resumption of the supposed grant of crown lands, which had been most unfairly represented, and asserted, that if the Duke of Portland, instead of being an opponent, had been the warmest friend of administration, the treasury-board could not have adopted a different mode of conduct, without a flagrant violation of justice. As to the civil list, he asserted, the persons to whose offices it belonged had been constantly employed in drawing up a state of that account, and had received every possible light and information from the officers of the crown, in order to shorten and facilitate the business, which was of infinite labour and extent; and, notwithstanding the utmost diligence, could not yet be completed. With respect to foreign affairs, the conduct of ministry would, on the strictest examination, be found irreproachable. He thought the terms of peace not so good as the nation had a right to expect; but he would never advise the King to engage in another war, so long as it could be avoided without impairing the dignity of the crown, or the real interests of the nation. We had already suffered sufficiently by foreign connexions to warn us against engaging lightly in quarrels in which we had no immediate concern, and to which we might probably sacrifice our own most essential interests.

Lord
Chatham.

Lord Chatham followed the Duke of Grafton; he meant to have risen immediately to second the Marquis of Rockingham's motion, but agreed that the charge which the Duke seemed to think affected him, demanded an immediate answer. The constitution

was violated; and until that wound was healed, and the grievance redressed, it was in vain to recommend union to parliament, in vain to recommend concord among the people. "If we mean seriously to unite the nation within itself, we must convince them that their complaints are regarded, and that their injuries shall be redressed. On that foundation I would take the lead in recommending peace and harmony to the people: on any other, I would never wish to see them united again. If the breach in the constitution be effectually repaired, the people will of themselves return to a state of tranquillity; if not, may discord prevail for ever! If the King's servants will not permit a constitutional question to be decided according to the forms and on the principles of the constitution, it must then be decided in some other manner; and rather than it should be given up, rather than the nation should surrender their birth-right to a despotic minister, I hope, old as I am, to see the question brought to issue, and fairly tried between the people and the government."

He dissented from the principle, that nothing less than an immediate attack on the honour or interest of the nation could authorize an interposition in defence of weaker states, and stopping the enterprizes of an ambitious neighbour. By the acquisition of Corsica, France had obtained more in one pacific campaign, than in all her belligerent campaigns, at least while he had the honour of administering war against her; and he expressed his fears that it was too much the temper of this nation to be insensible of danger, till it approached with accumulated terror.

He condemned the promise made by the Lord-Lieutenant to maintain a certain number of troops in Ireland; it was encroaching on the royal prerogative; and he remembered when Minorca was lost for want of four battalions, in consequence of the delicacy which ministers felt in taking them from Ireland. With respect to the arrears of the civil list, the Duke had given many plausible reasons why the account

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was not yet laid before the house, but none to hope it ever would.

The waste of public money was not of so much importance, as the pernicious purpose to which a portion of it had been applied. The riches of Asia had poured in upon us, and with them, he feared, not only Asiatic luxury, but Asiatic principles of government. "Without connexions, without natural interest in the soil, the importers of foreign gold have forced their way into parliament, by such a torrent of private corruption as no private hereditary fortune can resist. The truth of my allegations is within the knowledge of the whole house; the corruption of the people is the great original cause of the discontents of the people themselves, of the enterprize of the crown, and the notorious decay of the internal vigour of the constitution." Pursuing this subject, his Lordship offered some suggestions on the propriety of a reform in parliament. He considered the boroughs as the rotten part of the constitution; but, like the infirmities of the natural body, they must be borne with patience; the limb was mortified, but amputation might be death. To infuse new vigour, it would be necessary to augment the county and city representatives, and extend the regulation to Scotland, to prevent the jealousy which might arise from an apparent violation of the act of the union.

Having expatiated on this topic at much length, he mentioned with great satisfaction his cordial union with the Marquis of Rockingham, and wished that an early day might be fixed for considering the state of the nation. "My infirmities," he said, "must, indeed, fall heavily upon me, if I do not then attend my duty. When I consider my age and unhappy state of health, I feel how little I am personally interested in the event of any political question: but I look forward to others, and am determined, as far as my poor ability extends, to convey to those who come after me the blessing which I cannot long hope to enjoy."

The discussion was fixed for the second of Febru-

ary; but before that day the Duke of Grafton resigned his situation of first lord of the treasury; Lord North was appointed his successor, and measures were taken to fill up the vacancies occasioned by other resignations.

Sir John Cust's state of health having induced him to resign the chair of the House of Commons, Sir Fletcher Norton was, by Lord North, proposed as his successor. Lord John Cavendish moved the appointment of Mr. Thomas Townshend; but, on a division, failed*; Lord Halifax was appointed lord privy-seal, in lieu of the Earl of Bristol, who became groom of the stole; Mr. Welbore Ellis was made one of the vice-treasurers of Ireland, instead of Mr. James Grenville; Charles Fox was appointed a lord of the admiralty; and, after some time, Mr. Thurlow was made solicitor-general, instead of Mr. Dunning; who, notwithstanding his resignation, had held the office till a successor should be nominated.

The principal object of the late debates in the House of Lords was to procure a decision favourable to the right of Mr. Wilkes to sit in parliament as member for Middlesex. The same view influenced the opposition in the House of Commons, where a committee on the state of the nation was also formed. In anticipation of its sitting, Mr. Serjeant Glynn moved that the house should proceed on the redress of grievances before they resolved themselves into a committee of supply; to withhold money was a quiet and silent exertion of that power which the constitution had placed in their hands; and to decline going into a committee, a course far preferable to that of making the redress of grievances the condition of a grant.

Lord North treated the motion as an unintended compliment paid to ministers. They who made it supposed that, with the tenderness of a true parent, ministers would rather part with the child to a false claimant than see it wounded to death, while they, with the un-

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1770.
28th Jan.
Change of
ministry.
22nd.

29th Jan. to
13th Feb.

19th March.

Committee
on the state
of the nation
in the
House of
Commons.

24th.
Motion by
Serjeant
Glynn to
withhold the
supplies.

* 237 to 121. Sir John Cust died on the day his successor was elected.

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feeling obduracy of a pretended mother, would rather see it fall a sacrifice to their groundless pretences, than alive in the bosom of that which would protect and cherish it. What evidence was there of any public grievances to demand enquiry? Ignorant mechanics and rustics had been treated with beer and had broken windows. Some, whose share in the public interest and rank in life should have taught them better, had treated these mechanics and rustics, and taught them, in the jollity of their drunkenness, to cry out that they were undone. Except where tumult and discontent were industriously excited, the nation was quiet and content; and was the annual supply to be withheld, every function of government suspended, the public creditors unpaid, and the army and navy want clothes and bread, because the drunken and the ignorant had been made dupes to the crafty and the factious, signed papers they had not read, determined questions they could not understand, roared against oppression and tyranny, with licentiousness that made liberty blush, and staggered home, swearing they were in danger of slavery, while every one they met, who did not join in their cry, was really in danger of a broken head?

Mr. Dowdeswell shortly defended the petitioners. Colonel Barré, saying that men versed in the secrets of the cabinet came to oppose the regular proceedings of the House, drew from Lord North an observation, that, since the revolution, it had not been customary for the committee for redress of grievances to sit. Mr. Burke replied, that, whatever might have been usual since the revolution, the time had been, and he could venture to affirm the time would be, when parliament would first examine grievances and then vote supplies. "He who shrinks from a contest, betrays a consciousness that he is weak: we did not want this proof of the weakness of our present ministers; nor do we want any further proof that they are corrupt, than that they are weak. An administration that is weak, must of necessity be corrupt; the support that will not be given must be bought: a corrupt administration must also of necessity be an enemy to liberty, because

“ liberty is an enemy to that: they will be opposed
“ with a zeal too generous to be prudent, and will have
“ frequent opportunities to punish what is laudable in
“ itself for a trivial and accidental excess, wishing for
“ nothing more than an abuse of liberty, as a pretence
“ to destroy it.”

Several other members spoke; much heat and irregularity prevailed; the speaker, repeatedly applied to by both sides to maintain order, was at length driven to declare, that he felt, as it had been suggested, that his seat was not a bed of roses; he had thought both sides in the wrong, but, from expressions which had been used, was almost afraid to do his duty: “ If
“ I find encouragement,” he said, “ I will stop disorder; but if, by so doing, I bring on myself pique and resentment, there it must end. When this chair is disgraced, I will leave it, that it may not disgrace me.”

No resolution or division took place; but on the following day, in the committee on the state of the nation, Mr. Dowdeswell moved, “ That in judging of elections, the House ought to be regulated by the law of the land, and the known and established law and custom of parliament, which made a part thereof.” This evident proposition being announced as a prelude to series which would tend to redress the mischiefs of the Middlesex election, the ministry were reduced to an unpleasant dilemma. If they agreed to the motion, but rejected those by which it was followed, they would seem to relinquish the conclusions drawn from premises which they had conceded; if, on the other hand, they overruled the motion, it would appear that the House of Commons, not acknowledging themselves bound by law and the usage of parliament, formed a court of judicature guided only by caprice. Lord North dexterously avoided the snare, by moving, as an amendment, “ And that the judgment of the House on the Middlesex election is conformable to law and the usage of parliament.” After a strenuous debate, the amendment was carried*. When the resolution was

25th Jan.

* 221 to 182.

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31st Jan.
Subsequent
motion of
Mr. Dow-
deswell.

reported to the house, it was considered as complicated, and, according to the usage of parliament, separated into two propositions, each of which was separately carried.

The question proposed by Mr. Dowdeswell not having been rejected, he moved another resolution, founded on it: "That by the law of the land, and the law and usage of parliament, no person eligible of common right, can be incapacitated by a resolution of the House, but by an act of parliament only."

In the course of this debate, Colonel Barré, alluding to the power recently acquired by Lord North, compared the state to a vessel tossed in a stormy sea, which had just parted her main-mast (the Duke of Grafton) and scudded under a jury-mast (Lord North); they now, he said, hung out signals for pilots from the other side of the house, but none would assist them till the old crew had quitted the ship. In reply, Lord North acknowledged that storms had almost overpowered the vessel; but they came from the other side, and those alone who raised, knew how to lay them; yet the ship was not in such distress as to hang out signals for pilots, those on board being very capable of conducting her into port. He moved that the chairman should leave the chair; which was carried.

2nd Feb.
Marquis of
Rocking-
ham's mo-
tion.

On the appointed day, the Marquis of Rockingham made his motion in the committee on the state of the nation, in nearly the same words as those used by Mr. Dowdeswell.

Speech of
Lord Sand-
wich.

The proposition was combated in a long and able speech by Lord Sandwich, who expressed surprise that the question should ever have been entertained, as it related only to a privilege of the Commons. He quoted cases of the expulsion of the Earl of Middlesex, and of Lord Bacon, in which instances no alarm was created by the other branches of the legislature; they stood silent and undisturbed, knowing their interference to be unnecessary and improper. Adverting to the supposed prevalence of alarm, Lord Sandwich, though he had the highest opinion of the Marquis's

veracity in other respects, thought him mistaken in asserting that fact: "I have been at some pains," he said, "to examine accurately and impartially into the real circumstances of the alarm; and I have found it to be nothing more than a fiction, first set on foot by the daring and ambitious; and occasionally supported by the desperate, necessitous, and ignorant. But let us take the fact as represented; we are told that the majority of the people of England have petitioned for redress of grievances. Now the whole people of England are contained within forty counties; of which thirteen only have petitioned. It requires no deep calculation, no abstract knowledge of numbers, to tell that thirteen is not quite one-third of forty, though it is roundly asserted, that the whole people of England have petitioned. If we will further suppose (which we may very impartially) that many who have signed petitions possess no freehold, but are led either by the general pressure of poverty, the want of an immediate meal, or the hope of better establishment; if we will likewise consider what a number have been intimidated into it—I say intimidated; for we frequently find in the Gazettes menacing letters, directed to those who had firmness of mind, and good sense sufficient to be guided by their own opinions—the number even in these thirteen counties will be so lessened, as not to constitute in reality a twentieth part of His Majesty's subjects. Let us then be superior to these false alarms—the feeble echoes of despondent ambition. Let us act like real guardians of the nation; steady in supporting the privileges of the people, but not too forward to appear when no real danger presses." He concluded by observing, that if the House of Commons were aggrieved by the intrusion of Colonel Luttrell, the means of redress were in their own power.

Lord Chatham averred that the cases cited were inapplicable; as, by the expulsion of Lord Bacon and Lord Middlesex, no franchise was invaded, no freeholder deprived of his right. He attempted to obviate

Lord Chat-
ham.

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the effect of Lord Sandwich's calculations, by observing that many who individually felt all the rigour of parliamentary proceedings, were unable to make their complaints reach the royal ear, for want of a few principals to convene them. Great interest had been made by government to suppress all petitions ; and if to those efforts were added the influence of placemen, it would be surprising that, out of forty counties, thirteen had spirit and independence sufficient to stem the tide of venality. Lord Chatham then denominated the votes of the House of Commons which made Colonel Luttrell representative of Middlesex, a gross invasion of the rights of election, a dangerous violation of the English constitution, a treacherous surrender of the invaluable privilege of a freehold, and a corrupt sacrifice of their own honour. That House had stripped the statute book of its brightest ornaments, to gild the wings, not of prerogative, but of unprincipled faction, and lawless domination. To gratify the resentments of some individuals, the laws had been despised, trampled on, and destroyed ; those laws which had been made by the stern virtue of their ancestors, the iron barons of old, to whom the nation was indebted for all the blessings of the constitution ; to whose virtue and whose blood, to whose spirit in the hour of contest, and to whose tenderness in the triumph of victory, the silken barons of this day owed their honours and their seats, and both houses of parliament their continuance. These measures made a part of that unhappy system which had been formed in the present reign with a view to new-model the constitution, as well as the government. They originated, he would not say, with his Majesty's knowledge, but in His Majesty's councils. The Commons had slavishly obeyed the commands of His Majesty's servants, and thereby proved, to the conviction of every man, what before might have been only a matter of suspicion, that ministers held a corrupt influence in parliament ; it was demonstrable, it was indisputable. It was therefore particularly necessary for the Lords, at this critical and alarming period, so full of jealousy

and apprehension, to step forward and oppose themselves alike to the justly incensed and perhaps speedily intemperate rage of the people, and to the criminal and malignant conduct of ministers; that they might prevent licentiousness on the one side, and depredation on the other. Their lordships were the constitutional barrier between the extremes of liberty and prerogative.

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At midnight, a motion for the speaker to resume the chair, in order to put an end to the discussion in the committee, was carried*.

Inquiry
terminated.

Notwithstanding the lateness of the hour, the Earl of Marchmont moved "That any resolution of the Lords, directly or indirectly impeaching a judgment of the House of Commons, in a matter where their jurisdiction is competent, final, and conclusive, would be a violation of the constitutional right of the Commons, tending to make a breach between the two houses of parliament, and leading to general confusion."

Motion of
the Earl of
Marchmont.

This motion was supported by Lord Mansfield in a speech of considerable length; and by Lord Egmont, who declared the people had no right to present such petitions as had lately been laid before the King, for they were treasonable.

Observations
of Lords
Mansfield
and Egmont.

Lord Chatham, after ironically thanking the noble Lord for permitting the petitioners to retain their heads a day longer, asserted that the petitions were laudable and constitutional, and the right to present them undoubted. The House of Lords had a jurisdiction, and ought to interfere in case of an invasion of the people's liberties, or an unconstitutional determination of the House of Commons; the case of the county of Middlesex fell under both those denominations. He conjured their lordships, by the noble struggles of their ancestors in behalf of liberty, not to behold with indifference a transaction so alarming. In conclusion, he complained strongly of the motion being sudden, and made at midnight, and pressed an adjournment for only two days. "If the constitution," he said,

Lord
Chatham.

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Altercation
respecting
the official
conduct of
Lord Cam-
den.

“ must be wounded, let it not receive its mortal stab
“ at this dark and midnight hour.”

In the course of the debate, a personal altercation arose between Lord Sandwich and Lord Camden, which throws considerable light on the conduct of the ex-chancellor while in office. Lord Sandwich accused him of duplicity, in permitting the proceedings against Mr. Wilkes to take place without remonstrance, and of having refused to give an opinion respecting them. Lord Camden asserted, upon his honour, that long before Mr. Wilkes's expulsion, and also before the vote of incapacity, he informed the Duke of Grafton that he thought both measures illegal and imprudent; he had always entertained and frequently delivered that opinion. The Duke of Grafton admitted Lord Camden had, once before the expulsion of Mr. Wilkes, intimated, but not in express terms, that he thought the measure impolitic, or ill-timed; but that he had never given his opinion on the vote of incapacity: on the contrary, whenever that subject was agitated in the cabinet, he remained silent or retired; thus refusing or declining to deliver his sentiments. This assertion was corroborated by Lord Weymouth, who adverted expressly to one particular occasion, when Lord Camden had withdrawn his advice and assistance from the council on the mere mention of expulsion and incapacity. The law-lord, although contradicted by the first witness he referred to, persevered in asserting that he had repeatedly given his opinions on both points; but, finding them rejected and despised, absented himself from the cabinet, where his presence would only distract measures already resolved on, and which his single voice could not prevent*.

He is de-
fended by
Lord Chat-
ham.

Lord Chatham also averred, that, in conversation with him, Lord Camden had declared his opinion on those subjects, and supported it by cogent reasons.

* This discussion gave birth to a similar one in the House of Commons, in which it was insisted that the expulsion of Mr. Wilkes had been debated and determined in the council; and that the measure was therefore a mandate to the Lower House, which was implicitly obeyed. Debates, February 5th.

The House, tired of this futile conversation, at two o'clock called for the question, which was carried in the affirmative. Protests were entered against both the decisions; the first signed by forty-two, the last by forty peers*.

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Mr. Herbert brought in a bill to regulate the consequences of expulsion from the House; it was read a first time, and afterward frequently discussed in a committee: but at length the honourable member withdrew it from further notice.

Bill respecting
expul-
sion.
5th Feb.
to 1st May.
Withdrawn.

The members in opposition were encouraged and supported in their exertions by a corresponding turbulence which was generally prevalent in the city of London, particularly among the lower class. A statement of their proceedings becomes necessary for the perfect understanding of the subsequent transactions in parliament. A memorial, signed by six liverymen, was laid before the common-council, complaining that the petition presented to the King the preceding year had not been answered, and requesting the convention of a common hall, for the purpose of taking proper measures for the re-establishment and security of their ancient rights and franchises. This memorial occasioned great debates in the common-council: it was supported by the lord mayor and sheriffs; and, although opposed by all the rest of the aldermen, carried by a considerable majority†.

Turbulence
of the city.

1st March.
Proceedings
of the com-
mon-council.

The common-hall was attended by nearly three thousand of the livery. The lord mayor spoke, in the popular style, of the violated freedom of election; of little, paltry, rotten boroughs; of the number of placemen and pensioners; and of the more equal representation of the people. A prepared remonstrance was produced, analogous in its contents to the lord mayor's speech, and proffered for signatures. It

6th.
In the com-
mon-hall.

Remon-
strance to
the King.

* These protests were printed in a newspaper. Lord Gower, on the 7th of February, complained of a breach of privilege, and the printer was ordered to attend the House, but absconded. Lord Sandwich thereupon moved (10th February) for an order to take him into custody of the usher of the black rod. The motion was carried, although opposed by the Duke of Richmond and Lord Temple. The printer either fled or kept himself concealed. *Debrett's Debates*, vol. v. p. 171.

† 3 aldermen and 109 commoners, against 15 aldermen and 61 commoners.

stated, that, under a secret malign influence, which, through each successive administration, had defeated every good, and suggested every bad intention, the majority of the House of Commons had deprived the people of their dearest rights. "They have done a deed," it proceeded, "more ruinous in its consequences than the levying of ship-money by Charles I., or the dispensing power assumed by James II.; a deed which must vitiate all the future proceedings of this parliament; for the acts of the legislature itself can be no more valid without a legal House of Commons, than without a legal Prince on the throne. Representatives of the people are essential to the making of laws; and there is a time when it is morally demonstrable that men cease to be representatives. That time is now arrived. The House of Commons do not represent the people. We owe to Your Majesty an obedience, under the restriction of the laws, for the calling and duration of parliaments; and Your Majesty owes to us, that our representation, free from the force of arms or corruption, should be preserved to us in them. Had the parliament under James II." the remonstrance continued, "been as submissive to his commands, as it is at this day to the dictates of a minister, instead of clamours for its meeting, the nation would have rung as now with outcries for its dissolution. The forms of the constitution, like those of religion, were not established for the form's sake, but for the substance. And we call God and man to witness, that as we do not owe our liberty to those nice and subtle distinctions, which places and pensions and lucrative employments have invented—so neither will we be cheated of it by them: but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved." After other observations of the same kind, it concluded with praying for a dissolution of parliament, and the removal of the King's evil ministers from his councils for ever.

This arrogant paper was received by the livery with

transports and shouts of applause, and ordered to be delivered to the King on the throne. As it was intitled an Address, Remonstrance, and Petition, some difficulties arose at St. James's respecting the mode in which it should be presented; but at length the King granted the required audience. The lord mayor, and a train of common-councilmen, liverymen, and city officers, amounting to upward of two hundred, were introduced: the common serjeant began to read the address; but, abashed and terrified in his progress by a due consideration of the insolence of its contents, was unable to proceed; the town clerk laboured under no such difficulties; he took the paper and read it to an end. The King's answer was discreet and spirited: he said, "I shall always be ready to receive the requests, and listen to the complaints of my subjects; but it gives me great concern to find that any of them should have been so far misled as to offer an address and remonstrance, the contents of which I cannot but consider as disrespectful to me, injurious to my parliament, and irreconcilable to the principles of the constitution. I have ever made the law of the land the rule of my conduct, esteeming it my chief glory to reign over a free people: with this view I have always been careful, as well to execute faithfully the trust reposed in me, as to avoid even the appearance of invading any of those powers which the constitution has placed in other hands. It is only by persevering in such a conduct that I can either discharge my own duty, or secure to my subjects the free enjoyment of those rights which my family were called to defend; and while I act upon these principles, I have a right to expect, and am confident I shall continue to receive, the steady and affectionate support of my people."

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Delivered to
the King on
the throne.
14th Mar.

His answer.

The day after the presentation of this remonstrance, a motion was made in the House of Commons for an address to the King, requesting a copy of it, and of the answer. The Lord Mayor, the sheriffs Townshend and Sawbridge, and Alderman Trecothick, being members of parliament, avowed the share they had taken in the transaction, and declared themselves ready to

Proceedings
in parliament.
15th.

CHAP.
XVII.

1770.

19th March.
The House
of Commons
express dis-
approbation
of the remon-
strance; and
jointly with
the Lords
address the
King.

Remon-
strance of
Westmin-
ster, 28th.
And Middle-
sex, 31st.

12th April.
Wilkes
discharged.
18th.

abide the consequences. The address was principally resisted on the ground of inexpediency, and the arguments on this head were ably and ingeniously urged by the Marquis of Granby, Mr. Burke, Mr. Wedderburne, and Mr. George Grenville. They were answered by General Conway, who averred that the dignity of parliament required interference at all events: the right of the people to present a petition was undoubted; yet if such petition contained treason, or other high offence, it certainly was punishable; if not in the common courts, indisputably in parliament. The motion being carried*, the papers were laid before the House, and Sir Thomas Clavering moved, "That to deny the legality of the present parliament, or to assert their acts to be invalid, was unwarrantable, tending to destroy the allegiance of the subject, by withdrawing him from obedience to the laws." A long and animated debate ensued, and at three o'clock in the morning the House, on a division, decided in the affirmative†. An address was afterward carried, agreed to by the Lords on a conference, and presented to the King, who returned a most gracious answer.

These proceedings were far from diminishing the ardour for persecuting the sovereign with petitions. The inhabitants of Westminster presented, under the same title, an address similar to that of the city of London; and their example was followed by the county of Middlesex, on the recommendation of the Reverend John Horne, who had already distinguished himself on the popular side in the questions relative to the controverted election, and on other occasions.

The term of Mr. Wilkes's confinement being now expired, and his fines paid out of the public subscription, he was discharged, on giving the required security. He published an address to the freeholders of Middlesex, accusing the ministers of persecution and injustice; and declaring his readiness to die in the cause of liberty.

* 271 to 108.

† 284 to 127.

On the day that terminated the existence of Mr. Herbert's bill, Lord Chatham brought in one for reversing the adjudication of the House of Commons in the case of John Wilkes. The motion for a second reading was supported by Lord Temple, Lord Lyttelton, and the Duke of Richmond. Lord Chatham stated the numbers on the poll*, derided the new kind of state arithmetic, which made the smaller exceed the greater number, and said it was flying in the face of all law and freedom, robbing the freeholders of their liberty, and making a mere farce of the birth-rights of Englishmen. "I am afraid," he concluded, "this measure has originated too near the palace: I am sorry; but I hope His Majesty will soon open his eyes, and see it in all its deformity."

Lord Pomfret called to order; but Lord Chatham refused to retract; he esteemed the King in his personal, and revered him in his political capacity; but hoped he would redress the existing grievances by dissolving the House of Commons.

Lord Mansfield cited many cases where persons had been expelled the Lower House, without any attempt to interfere by the Lords. As to the numbers on the poll, he said, Mr. Wilkes was considered as nobody in the eye of the law, and consequently Colonel Luttrell had no opponent. In contested elections, the party complaining could not seek redress from the electors, or the people at large, but from the House of Commons, who are the only judges, and from whose determination there is no appeal. The freeholder is merely to determine on his object, by giving his vote; the ultimate power lies with the House, which judges of his being a legal representative in the several branches of his qualifications. The people were already sufficiently violent; but if the superior branch of the Legislature should join them, the public encouragement of their proceedings would occasion such a scene of anarchy and confusion, that he almost trembled at the thought.

CHAP.
XVII.

1770.
1st May.
Lord Chatham's bill for reversing the adjudication of the Commons respecting Wilkes.

Opposed
by Lord
Mansfield.

* Wilkes, 1143; Luttrell, 296.

CHAP.
XVII.1770.
Supported
by Lord
Camden.

Lord Camden censured the opinions of Lord Mansfield, as pregnant with unconstitutional doctrines: by pronouncing Mr. Wilkes's incapacity, and refusing to receive him as a member, the House of Commons had acted arbitrarily, in defiance of law and precedent, against reason and justice: a secret influence had said the word, "Mr. Wilkes shall not sit;" and the fiat was to be obeyed, although it tore up the heartstrings of the constitution. He complimented Lord Mansfield on his expertness in referring to cases; but said the present question should be taken upon a more broad and general bottom, not as candidate against candidate, not as Mr. Wilkes opposed to Colonel Luttrell, but as the electors at large against the assumed power of the House of Commons. In the case of ship-money, the people justly joined in the cry, and it ceased to be a question between Mr. Hampden and the King, but the people of England against venal and oppressive ministers. Repeating the words of Lord Chatham, he proceeded, "I will join my feeble efforts to the voice of the people; and the louder I hear them cry, the more I shall be pleased." The judgment on the Middlesex election had inflicted a more dangerous wound on the constitution than any which were given during the twelve years' absence of parliament in the reign of Charles I. Should this bill be rejected, he trusted in the good sense and spirit of the people to renew their claims to a true and free representation in parliament, as an inherent and inalienable right; and if, session after session, the same fatal influence should continue, Englishmen would not forget this bill at the next general election; but make such a compact with the elected, as to procure an equal representation, and a full redress of the many difficulties under which they laboured.

Rejected.

Protest.

On the rejection of the bill*, a short protest was signed by thirty-three peers; and, on the demand of Lord Chatham, the house was summoned for

* 89 against 42.

the fourth, on a motion of great importance relative to the King.

His Lordship then moved a resolution on the answer to the remonstrance of the city of London; affirming, that the advice by which the King had acted was of a most dangerous tendency, inasmuch as the clearest rights of the subject had been indiscriminately checked with reprimand; and the afflicted citizens had heard from the throne itself that the contents of their humble address, remonstrance, and petition, could not but be considered by His Majesty as disrespectful to himself, injurious to his parliament, and irreconcilable to the principles of the constitution.

This answer, Lord Chatham said, was so harsh, that to equal it baffled his reading in the history of the country. The King's judgment or disposition would not have permitted such an answer; and poor as his opinion of the administration was, he could not suppose it to be a joint advice; if many were consulted, some one of them must have seen the absurdity. "For whoever they were (I care not of what consequence), they were either fools or knaves: if the latter, they deserved the contempt of an injured people; if the former, they ought to have been sent to school before they were suffered to take the lead in public office." In the course of his speech Lord Chatham offered unbounded adulation to the city, and said that Colonel Luttrell was no representative of the people, but a nominee thrust in by foes to the laws of the land and the established principles of the constitution.

Lord Pomfret, in a short answer, observed, that the house had, of late, been almost entirely occupied by a popular nobleman on a popular topic, to the great hindrance of other business; but the Lords could not be expected, in the short space of six weeks, entirely to change their opinions; to condemn a measure they had then approved, and on which they had, in an address to the King, applauded the propriety of his

CHAP.
XVII.

1770.

4th May.
Lord Chat-
ham's motion
on the King's
answer to the
remonstrance.

Opposed by
Lord Pom-
fret.

CHAP.
XVII.

1770.

answer. Several other peers having delivered their opinions, the motion was rejected*.

It was the principal aim of the motion to extract from the ministry some defence or explanation which might afford means of inflaming the discontents of the city; but, in defiance of much abuse and personality, they maintained a prudent silence, and the question was lost.

14th.
His motion
for a dissolution of
parliament.

Lord Chatham, not deterred by ill success, moved for an address to dissolve the parliament. The house, apprized of the object of these motions, destroyed the intended effect, by prohibiting the admission of any persons but members of the House of Commons and sons of peers. The debates are not recorded, but the question was negatived.

Mr. Dowdeswell's motion
to disqualify
revenue officers
12th Feb.

Several attempts were made in this session to alter the laws respecting parliament and the members of both houses. Mr. Dowdeswell, in a committee on the state of the nation, moved to bring in a bill disqualifying certain officers of the excise and customs from voting at elections. The proposition was chiefly supported by statements of the increased number of revenue officers, and the danger accruing to liberty from their suffrages and influence. On the other side, it was observed, that as the principal officers were already disqualified from sitting, and all persons in the excise, customs, or post-office, under severe penalties, enjoined from intermeddling, by persuasion or dissuasion, in the election of representatives, the proposed bill was unnecessary, and it would be an act of cruelty to deprive so many people of their franchise. The motion was lost†.

Law for annulling the
protections granted to
servants of
peers.

An act passed for altering the law relating to privilege, so far as it extended to the effects and domestics of members of either house. Bills of this nature had been frequently proposed, but were always considered as mere attempts to engage temporary popularity by affected self-denial, and therefore rejected.

* 85 to 37.

† 263 to 188.

When the present bill had passed the Commons, and was brought into the House of Peers, it was warmly opposed by Lords Sandwich and Marchmont; but defended with great vigour by Lord Mansfield, who made a most able speech. He demonstrated, from the best principles, that the privilege was not so valuable as was supposed; and, from his experience in the court where he presided, deprecated the rejection of a measure calculated to relieve the practice of the law from many impediments and embarrassments. Being accused of patronizing the bill for the sake of obtaining popularity, he made this animated answer: "If the noble Lord means by popularity the applause bestowed by after-ages on good and virtuous actions, I have long been struggling in that race; to what purpose, all-trying time can alone determine: but if he means that mushroom popularity which is raised without merit, and lost without a crime, he is much mistaken. I defy the noble Lord to point out a single action in my life, where the popularity of the times ever had the smallest influence on my determinations. I thank God, I have a more permanent and steady rule for my conduct—the dictates of my own breast. Those who have foregone that pleasing adviser, and given up their minds to the slavery of every popular impulse, I sincerely pity: I pity them still more, if vanity leads them to mistake the shouts of a mob for the trumpet of fame. Experience might inform them, that many who have been saluted with the huzzas of a crowd one day, have received their execrations the next: and many, who by the popularity of their times have been held up as spotless patriots, have, nevertheless, appeared on the historian's page, when truth has triumphed over delusion, the assassins of liberty. Why, then, can the noble Lord think I am ambitious of present popularity, that echo of folly, and shadow of renown?" The bill passed.

Another measure of still greater importance was Mr. George Grenville's bill for regulating the proceedings of the House of Commons on controverted

Mr. Grenville's bill for deciding petitions on con-

CHAP.
XVII.1770.
controverted
elections.

21st March.

30th.

elections. Since the famous Aylesbury case, in 1704, the House of Commons was considered as sole judge of the qualifications of electors, and all other matters relating to the return of members*. However well founded the claim, the practice was attended with many inconveniences. At first, the contested cases had been tried in a select committee, consisting of some of the most learned members; but afterward the practice prevailed of hearing the petitioners by counsel at the bar. Petitions were frequently so numerous, as materially to impede public business; and substantial justice was seldom obtained. As the judges were not bound by an oath, or even promise upon honour, to resist the impulse of partiality, their suffrages were often biassed by party, or personal considerations. To remedy these evils, Mr. Grenville's bill provided that every case of contested election should be referred to a committee of thirteen members, chosen by the sitting member and the petitioner, from a list of forty-nine, the result of a ballot. Each party was empowered to nominate one member besides those thirteen, and the committee was authorised to send for persons, papers, and records, and bound by oath to decide impartially. Such is the outline of this celebrated law. The existence of an evil, and the great want of a remedy, were generally admitted; but yet the mode proposed was not exempt from objections. Some members opposed it in the whole, as an abandonment of the constitutional rights of the house, by assigning them, without reserve or appeal, to a portion of its members; among these were Mr. Rigby and Mr. Dyson. Lord North disapproved of some proposed regulations, but laid in his claim to reject the whole bill, unless those clauses should be amended in the committee. In that stage, many clauses met with considerable opposition, and were new modelled. On the third reading, a postponement of the bill was moved by Mr. Welbore Ellis, seconded by Mr. Fox; the effort was opposed by Dunning, Burke, and Wedder-

* Coxe's Memoirs of Sir Robert Walpole, vol. i. chap. 4. p. 20, 4to. edit.

burne, and, although supported by Lord North, Mr. De Grey the attorney-general, and several ministerial members, failed on a division*; the country gentlemen, led by Sir William Baggott, having given their suffrages against the minister. In the House of Lords the bill passed with little animadversion, and a panegyric from Lord Chatham†. The duration of the act was limited to seven years, and it was amended in the next session.

CHAP.
XVII.

1770.

5th April.

An inquiry into the state and expenditure of the civil list was one of the popular topics urged in both houses. Mr. Grenville moved for an account of those expenses for one year, ending the fifth of January. The late King, it was said, left a saving of £170,000, which came to the hands of His present Majesty; besides which, and his own revenue, he had received from parliament an aid of £513,000; the civil list expenses had greatly increased in 1768, and it was inferred that the money was employed during the general election to the injury of the people.

Inquiry
into the
civil list.
28th Feb.

The motion was resisted on grounds of decency, convenience, and expediency; and rejected‡.

Mr. Dowdeswell afterward moved for certain accounts relative to the King's debts in 1762, 1763, 1765, and 1766, and the amount of money in the exchequer at the late King's decease. The motion was opposed

12th Mar.

* 185 to 123.

† In a publication in 1789, of "Extra-official State Papers," by William Knox, Esq., late under secretary of state, vol. ii. p. 41, is the following account of part of a conversation, which the editor of that work had with Mr. Grenville, at Wootton, upon the subject of Mr. Grenville's returning to office. "He told me, that he found his health and spirits very much declined; that he had given up all thoughts of office, and did not wish to take any active part in public business. And indeed," he continued with a deep sigh, and putting his hand upon his side, "I am no longer capable of serving the public. *My health and spirits are gone. The only thing I have any intention of doing, is to endeavour to give some check to the abominable prostitution of the House of Commons in elections, by voting for whoever has the support of the minister, which must end in the ruin of public liberty, if it be not checked.*" In pursuance of this resolution, Mr. Grenville, on the 7th of March, 1770, proposed his plan in a most able and convincing speech. The bill received the Royal assent, upon the 12th of April, 1770; and Mr. Grenville died on the 13th November following; with the satisfaction of having completed one of the noblest works, for the honour of the House of Commons, and the security of the constitution, that was ever devised by any minister or statesman. Hatsell's *Precedents*, vol. ii. p. 21.

‡ 262 to 165.

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XVII.

1770.

2nd April.

by Lord North; but Mr. Dowdeswell having, in the course of his speech, reflected on the Earl of Bute, Lord Mountstuart successfully requested that the accounts might be granted, to clear his father's character.

In a committee on the state of the nation, Mr. Dowdeswell proposed an address, reciting the excess of expenditure, and requesting the King to retrench his expenses, and enforce on his servants the practice of economy, which would tend most to the honour and dignity of the crown, the satisfaction of his own royal mind, and the content of his people. Lord North, after shewing the impropriety, want of respect, and indecency of the address, moved that the chairman should leave the chair, and the committee (which had existed eight months without producing any good consequence) be dissolved. This motion was carried*.

3rd.

The next day, Mr. Dowdeswell ineffectually repeated the motion in the House. Sir Edward Astley also demanded a list of pensions, which occasioned a debate, but was refused†.

5th.

16th.
In the Up-
per House.

In the Upper House, Lord Chatham, in moving for an inquiry into the state and expenditure of the civil list, took the opportunity of vindicating himself against the charge frequently made, of granting numerous pensions. He produced a list, and after speaking of several of the parties in terms of appropriate praise, mentioned Lord Camden, as one whose integrity had made him once more a poor and private man; he was dismissed for his vote in favour of right of election in the people. These intemperate words were taken down, but no consequences ensued. The motion was negatived.

Petition
from the
American
merchants.

The affairs of America were debated with the usual zeal and violence. Before the Duke of Grafton's resignation, a petition had been presented from the merchants of London trading to that continent, describing the importance and advantages of the traffic in former times, its total suppression by combinations in

* 208 to 75.

† 164 to 108.

consequence of the late tax-laws, and praying relief; and governor Pownall had fixed a day for the discussion; but it was prevented by the committee on the state of the nation. When the change in the ministry had taken place, Lord North informed him that ministers were pledged to move a repeal of the duties on glass, paper, white lead, red lead, and painters' colours; but the governor informed him that the measure would be ineffectual, unless all the duties were repealed, the drawback on china and earthenware discontinued, and no part of the preamble, which was really the grievance, was permitted to remain. He was informed that it was not the intention of government to carry concession to that extent*. When the petition was debated, Governor Pownall proposed, as an amendment, that it should extend to all the duties, and supported his motion by a long speech, replete with considerations of political expediency and abstract right.

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XVII.

1770.
5th Mar.
Repeal of
duties, ex-
cept tea.

* Letter from Governor Pownall to the Rev. Mr. Cooper, 27th and 29th Jan. 1770. King George the Third's MSS. British Museum, vol. 189, fo. 28. As this collection will hereafter be referred to, an account of it is given from a volume in which the originals are fairly transcribed. Immediately after the affair of Lexington (19th April 1775), Boston was surrounded by the rebels, all intercourse with the country cut off, and no person allowed to quit it without permission, or to pass the enemy's lines without being searched. Mr. Cooper was one who obtained a passport. He was a leader of the disaffected party, and minister of the Gospel to one of the religious societies, a man of great weight and influence among the people, admired for his abilities, and respected on account of his holy profession and exemplary life. Afraid of the consequences of possessing these letters, yet unwilling to destroy them, he confided them to the care of his friend, Mr. Jeffries, one of the select men of Boston. Mr. Jeffries, falling ill and retiring into the country, placed them in the hands of his son, who was a loyalist, and, on the evacuation of Boston, took them to Halifax and afterwards to London. There he made a present of them to Mr. Thompson, who, according to his own expression, "presumed most humbly to lay them at His Majesty's feet, as a literary, as well as a political curiosity." King George IV. presented them to the British Museum. On the same subject, Dr. Franklin says, "The repeal of the whole late Act would have been a prudent measure; and I have reason to believe that Lord North was for it, but some of the other ministers would not agree to it. So the duty on tea, with that obnoxious preamble, remain to continue the dispute. Let us therefore" he adds, "hold fast our loyalty to our King (who has the best disposition towards us, and a family interest in our prosperity), as that steady loyalty is the most probable means of securing us from the arbitrary power of a corrupt parliament that does not like us, and conceives itself to have an interest in keeping us down and forcing us." Letter to Dr. Cooper, 8th June, 1770. Same MSS. Marshall's Life of Washington, vol. i. p. 146.

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1770.

In the debate, several opinions were avowed which did not accord either with the original motion or the amendment. Mr. Grenville said he had acted systematically in imposing the stamp duty, which he had reason to think could and would be paid. The succeeding ministry had also pursued a system which then perhaps was the next best, that of repealing the act, replacing America in its pristine condition, and, at the same time, preserving the power of the English Parliament, by a law declaring the right of taxation. The next ministers laid a tax diametrically repugnant to commercial principles, bringing in no money to the state (the clear annual amount being under sixteen thousand pounds) and throwing America into a ten-fold flame. Although he was of opinion the Americans should be eased, yet, as the ministry had formed no systematic plan, he considered the intended partial repeal as futile, and the amendment inadequate. He did not think the first proposal would be of any real service, nor would he assist in forcing the ministry to adopt a measure which he thought very little better, and therefore should not vote.

General Conway, Sir William Meredith, and Colonel Barré supported the amendment: while Lord Barrington and Mr. Welbore Ellis opposed both the motion and the amendment; they saw no probability that repealing the tax would quiet America, and therefore were desirous of putting the act in execution absolutely, and with the united powers of the nation. The amendment was rejected*, and the act ultimately passed according to the minister's first proposal. An ineffectual effort was afterwards made to repeal the duty on tea.

9th April.

26th.
Motion for
papers.

Alderman Trecothick, who failed in this attempt, succeeded in obtaining papers relative to American affairs. Governor Pownall founded on them a motion for an address, praying for the examination of the several powers and authorities contained in the commissions granted, and in the orders and instructions

issued, to the provincial governors and commanders-in-chief; to the end that such commissions, instructions, and orders, might be explained, corrected, and amended, where they clashed or interfered with each other, or contained powers and authorities not warranted by law and the constitution. In his speech, he panegyricized the loyalty and good dispositions of the colonists, and severely blamed the conduct of Sir Francis Bernard. He was seconded by the lord-mayor, and a strenuous debate ensued, which continued two days, and in which some recent transactions in America were vehemently discussed; but the motion was rejected*.

In the House of Lords, the Duke of Richmond offered eighteen resolutions, which, after some discussion, were disposed of by a motion of adjournment†.

An attempt was made to improve the means possessed by magistrates in the metropolis for preventing burglaries and robberies. A committee had been appointed; and, from their report, it appeared that, in and about the cities of London and Westminster, the number of burglaries had increased from sixty-three to one hundred and four within the short period of six months; and it was also stated that these offences were principally committed by about twenty young persons, few being more than twenty years of age, most of them not above seventeen. They generally began when very young, as pick-pockets, and afterward became house-breakers, to support their increasing expenses. The information on which this ample report was founded, proceeded chiefly from Sir John Fielding, an experienced magistrate, and Mr. James Sayer, the deputy high steward of Westminster; it contained many details on the progress of crime, and the means by which punishment was evaded. It recommended some very severe measures, that receivers of stolen goods, if obtained by burglary or highway robbery, should, like the principals, be capitally punished; that felons sentenced to transportation should

CHAP.
XVII.

1770.
8th and 9th
May.
For examina-
tion of the
instructions
of governors.

19th May.
Motions in
the Lords.

10th April.
Discussion on
the preven-
tion of bur-
glaries and
robberies.

* 197 to 79.

† 60 to 26.

CHAP.
XVII.

1770.

be conveyed to Africa or the East Indies ; and that ballad-singers should be treated as common vagrants, because, in the crowd which they caused to assemble, pick-pockets found easy means of depredation.

Against these resolutions it was objected that we ought not to increase the number of capital punishments in a code already too bloody ; that transportation to Africa was in effect a sentence of death, although not so expressed ; that convicts could not, on account of the expenses, be sent to the East Indies ; and humanity, assuming the tone of burlesque pleasantry, interposed a word for itinerant muses, commonly called ballad-singers. No resolution was passed, and the report was not further considered.

19th May.
Prorogation.

In closing the session, the King expressed his great satisfaction at the temper with which members had conducted all their proceedings, and dismissed them, with thanks for the supplies, and recommending to them to promote the happiness of the people by maintaining every part of our excellent constitution.

CHAPTER THE EIGHTEENTH.

1769—1770—1771.

View of America.—Effect of reviving the statute of Henry VIII.—in Massachuset's Bay.—Proceedings of the legislature.—Proceedings in other provinces.—Non-importation committees formed.—Examination of the conduct of ministry.—Conduct of the people of Boston toward the military.—Riot in Boston.—Town-meeting.—Soldiers removed.—Efforts to inspire revenge.—Trial and acquittal of Captain Preston and his soldiers.—General court removed to Cambridge.—Unpopularity of the non-importation agreement—which is renounced on the repeal of the duties.—Remonstrance of the city of London to the King.—Behaviour of Beckford—approved by the city.—Address on the birth of a princess.—Address of the city to Lord Chatham.—Death of Beckford.—Combination of France and Spain.—Account of Falkland's Islands.—Expulsion of the English colonists by the Spaniards.—Information received in England.—Exertions of ministry.—Conduct of opposition.—Westminster meeting.—Debates in Parliament on the aggression of Spain.—Progress of negotiation.—Unwillingness of France to engage in war.—Dismission of Choiseul.—Concession of Spain, and final adjustment.—Changes in the ministry.—Proceedings on the Spanish disputes.—Motion of the Duke of Richmond.—House of Commons.—Further efforts.—Lord Chatham.—Governor Pownall.—Disagreement between the two Houses of Parliament.—Arrangement with Spain approved.—Trials of certain printers for publishing Junius's Letters.—Captain Constantine Phipps's motion.—Discussion of Lord Mansfield's doctrine in cases of libel—he leaves a written document with the clerk of

the House of Lords.—Disfranchisement of the electors of New Shoreham.—Motions arising out of the Middlesex election.

CHAP.
XVIII.

View of
America.

IN occupying themselves about America, the British Parliament yielded only to the dictates of propriety and necessity: the situation of affairs claimed interference, but the measures adopted were not judicious or salutary. While the cause of American insubordination was so vehemently defended by advocates of unparalleled courage, credit, and ability, it could not be expected that the exertions of authority in restraining the turbulent, and restoring the reign of order, should be attended with success. Every effort of coercion was resisted as an illegal encroachment, while every conciliatory attempt was considered as the result of timidity, and a pledge of victory to future opposition.

Effect of re-
viving the
statute of
Henry VIII.

The measure of the Grafton administration, which announced the revival of the obsolete statute of Henry VIII. produced extensive ill consequences; the tyrannical spirit of that proceeding was so obvious, that, in provinces where the inhabitants were tranquil and loyal, it was felt as an invasion of liberty, and the people were obliged to those, in the other states, who were willing to brave the storm and by a display of courageous hostility secure freedom to all the colonies.

In Massa-
chuset's
Bay.

31st May,
1769.
Proceedings
of the legis-
lature.

In Massachuset's Bay, against which this measure was principally directed, and where the presence of soldiers inspired some little awe, a temporary consternation ensued; the writers of seditious publications desisted for a few weeks, but speedily resumed their labours. The new assembly, convened in pursuance of the King's writ, adhering to the spirit of their predecessors, stated, in a message to the governor, that they could not proceed with freedom while ships of war were in the harbour and a military force in Boston; but the governor answered, he had no authority to remove either ships or troops. The assembly proceeded to the election of a council, carefully ex-

cluding every person attached to government, or who, by his talents and influence, had contributed to restrain or oppose the turbulent party: they then replied to the governor, that a military force assisting in the execution of laws, was inconsistent with the spirit of a free constitution: the unwillingness of a people in general that a law should be constituted, was strong presumption of its being unjust: it could not be the law of the people, as they must consent to laws before they could, in conscience, be obliged to obey. They voted charges against their governor for misconduct, and a petition for his removal, which was transmitted to their agent, to be laid before the privy-council; and passed a vote, declaratory of their right, as British subjects, to be tried for treason, felony, or any other crime, within the colony; that they might not be deprived of the benefit of a jury of the vicinage, or of the advantage of summoning and producing witnesses. Governor Bernard prorogued the general court, and, during the recess, returned to England*.

The example of the assembly of Massachusetts Bay was followed in several other provinces; they passed severe strictures on the conduct of administration, and entered into resolutions declaratory of their rights in cases of trial for treason; these, in some colonies, were expressed in terms so acrimonious that the assemblies were dissolved. This measure increased the spirit of disaffection: the members of the legislative bodies returning to their homes, and mixing with the people, extended the influence of the opinions they had previously expressed and encouraged, and to which they had the credit of appearing as martyrs.

The prevailing resentment against the British government facilitated the operations of those who were desirous of distressing the mother country by anti-commercial combinations. The example was set

CHAP.
XVIII.

1769.
13th June.

27th June.
8th July.

Proceedings
in other pro-
vinces.

Non-im-
portation
committee
formed.

* Almon's Collection of Papers, vol. i. p. 226, to the end. Stedman's History of the American War, vol. i. p. 60, et seq. While in England, Governor Bernard was tried (28th February 1770) at the cock-pit, on the articles preferred against him by the general assembly of Massachusetts Bay, and acquitted. See Annual Register, 1770, p. 76. Gentleman's Magazine, 1770, p. 139 and 165.

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XVIII.

1769.

in Massachuset's Bay, where, as soon as the governor had dissolved the assembly, the members met in a public room in a tavern, formed themselves into a voluntary convention, drew up articles of association against the use of any merchandize imported from Great Britain, signed and recommended them to the people. They had soon the satisfaction to find their measures generally approved. The members of the late assembly were all re-elected, excepting only the few who had dissented from the popular proceedings. According to their hopes, other colonies made common cause with them, and entered into non-importation agreements*. Committees were appointed in the several towns, to examine cargoes on their arrival from Great Britain, and report to their constituents in what manner the terms of the association had been adhered to; votes of censure were passed on those who infringed them, and their names were published as enemies to their country. These proceedings alarmed the merchants of London, and produced the application to Parliament which has already been mentioned†.

Examina-
tion of the
conduct of
ministry.

Lord North's facility in yielding to this application was unfortunate. The associations in America were promoted or sanctioned by mercantile speculators, who had large stocks of British goods in their possession; but according to the state of labour, and the difficulties of commerce which then prevailed, a perseverance of two years would have reduced the Americans to the necessity of applying again with abject humility to

* Memoirs, &c. of Thomas Jefferson, vol. i. p. 4.

† The non-importation compact was formed by reasonings not drawn from resentment against the English government alone; it was argued, that time and perseverance must change the present determinations. "I hope," Dr. Franklin observed, in a private letter to Dr. Cooper, "my country folks will remain as fixed in their resolutions of industry and frugality as parliament is with respect to the duty acts. We shall reap more solid and extensive advantages from the steady practice of those virtues, than we can suffer damage from all the duties that parliament can lay upon us. They flatter themselves you cannot long subsist without their manufactures: colonies will differ among themselves: men may be contented without luxuries, but women will not. Ministerial people all talk in this strain, and many of the merchants." By these and similar arguments, he recommends a system which he had always favoured, and avowed in his examination before the House of Commons.—King George the Third's MSS. British Museum, vol. 188, 27th April, 1769.

Great Britain, or of living on the produce of their own soil, deprived of every indulgence to which they had been accustomed: in a state which would have reduced the most opulent of the associators to envy the condition of a common mechanic or day-labourer at home. To a large body of men under the pressure of perpetual suffering, the lessons of philosophical or patriotic self-denial must soon have been repeated in vain. In vain would they have been told, after severe and continued suffering had taught them the contrary, that this handicraft shop-keeping state would, for its own sake, learn to behave more civilly to its customers*. If it was desirable to the minister to coerce the Americans, they had furnished him with the means; for by taking advantage of their combinations, and issuing a prohibition against the exportation of drugs, and various other necessities, except on terms of proper submission, their own miseries would have produced such dissensions, and created such a general abhorrence of the spirit of resistance, that a long period must have elapsed before it could again have been exhibited with effect. If the ministry were afraid to pursue this resolute course, they should have conciliated the colonists by a total repeal of the obnoxious law, and not left the Americans, without a possibility of experiencing inconvenience, in possession of a plausible ground of complaint.

At the time when Lord North was endeavouring to restore, if possible, contentment to the colonists, they were again engaged in acts of outrage which demanded severe correction. While four regiments were quartered at Boston, the inhabitants were kept in awe by their numbers, and maintained a sullen tranquillity; but two being removed, they lost all fear, and displayed their animosity to government by insults on the military, who were abused and vilified in the newspapers, and every opportunity taken to degrade, and expose them to the hatred and contempt of the populace. The soldiers were neither by education,

Conduct of
the people
of Boston
towards the
military.

* Dr. Franklin to Dr. Cooper, same MSS. vol. 188.

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nor the habits acquired in the service, disposed to bear such treatment with patience, and the peace was frequently disturbed by contentions and affrays between them and the people. In this state of mutual animosity, each party imputed to the other views and designs which were probably never entertained. The Bostonians were accused of a project to expel the military by force, and of having engaged a party from the country to assist in executing it*. The soldiers were charged with a systematic design to urge the people beyond their patience, that a moment of excess might furnish a pretext for a general massacre and plunder†. Of the first of these accusations no evidence has ever appeared; the latter refutes itself; as the military, if they had formed such a plan, would have executed it before they were weakened by the departure of half their force.

Riot in
Boston.
2nd March,
1770.

The quarrels of individuals and small parties, in process of time, produced a general sentiment of rancour, which occasioned a more serious contest. A dispute having arisen between the soldiers and the ropemakers, and many circumstances of irritation having occurred, measures were taken on both sides for a general engagement. Unfortunately, all the disputes between the townsmen and the soldiers were kept concealed from the officers: the military would not impeach themselves; and the people maintained a lofty and supercilious reserve, disdaining to refer their grievances to the arbitrament of men whom they neither esteemed nor respected. In consequence of the previous disposition of the parties, and the fury excited by recent transactions, a serious riot was raised, the commencement and conduct of which are differently related, as prejudice or interest prevails; nor can any of the proceedings be recounted with the confidence arising from a clear and well-connected narrative.

5th March.

It appears that an affray took place in the evening between two soldiers and a party of the lower order of people, upon which a mob was immediately raised.

* Stedman's History of the American War, vol. i. p. 75.

† Narrative of the horrid massacre in Boston, *passim*.

To increase the number of their partisans, the Bostonians broke into two meeting-houses, and rang the alarm-bells, the usual signal of fire: they also ran about the streets calling the people from their houses to defend themselves; thus an immense and exasperated multitude was collected. Captain Preston, the commanding officer on duty, knew nothing of the late transactions; and considering the alarm to be really, as it was apparently, excited by fire, received information of the commotion with surprise. He repaired to the main-guard, and, seeing the crowd flock toward the custom-house, and hearing the threats of the populace, became apprehensive of some attempt to obtain possession of the chest containing the public money; he was also informed that the people had expressed a resolution to murder the sentinel. He summoned to his aid a non-commissioned officer and twelve privates; and, in order to prevent violence, accompanied the party himself. The mob, who were obliged, by the united efforts of the guards, to keep a certain distance, tried, by abusive epithets and defiance, and by throwing stones and snowballs, to irritate the military to a forgetfulness of their duty. Captain Preston parleyed, and attempted to convince the people, from the manner in which the men were drawn up, the position in which they held their arms, and the situation in which he himself stood, that no intention could be entertained of firing. While he was thus engaged, one of the mob struck a soldier with a cudgel; the man so insulted, immediately fired. The Captain, turning to reprimand him for firing without orders, received a violent blow on the arm with a club. Some persons from behind gave the word "fire;" but the confusion was so great, that no one distinctly knew from whom it proceeded. Captain Preston repeatedly ordered the men not to fire; but about ten pieces were discharged. The word could not have been clearly understood, nor could it have been given by the officer, since the men in their previous position stood with bayonets fixed, and their arms half-cocked; there are several intermediate words of command which an officer could not

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have omitted : beside, had the word been given by the officer, the whole division would have fired at once ; whereas from every account it appears, that, after the man who had been struck, two fired, then three, and then five. The result was, that four persons were killed, and six or seven wounded : the populace fled with precipitation, but shortly returned to carry off their friends : the military, apprehensive of a new attack, were again preparing to fire ; but Captain Preston prevented them by throwing up their pieces with his hand. The whole affair was a scene of hurry and confusion, occupying about twenty minutes. The populace continued in a state of insurrection : they beat a drum about the streets, calling " to arms ; " several officers, who on a similar call to arms were hastening to join their comrades, were beaten, knocked down, and wounded, and every appearance indicated an intention of further hostility. Lieutenant Governor Hutchinson and Colonel Carr at length interfered, and the soldiers being ordered to their barracks, the people were induced to retire to their houses.

6th March.
Town-
meeting.

The next day, a meeting of the inhabitants of Boston was held at the town hall, when, after some warm speeches, they chose a committee of fifteen to wait on the Lieutenant-governor with a message, requesting him, as the only possible means of preventing further carnage, to remove the troops. He replied, that without orders from the general, who was at New York, the commanding officers could not remove the military ; but promised that measures should be adopted for keeping them in situations where no future inconvenience could arise. This answer was declared to be not satisfactory, and a fresh committee of seven appointed to wait on the Lieutenant-governor, with a message to that effect. Mr. Hutchinson immediately made application to the council, who voted, without hesitation or opposition, that it was essentially necessary for the good of His Majesty's service to remove the soldiers from the town. Colonel Dalrymple, the commanding officer, gave his word that he would comply, and they were accordingly removed to Castle Wil-

Soldiers
removed.

liam, the military duty at the town-house and town-prison being performed by the militia.

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Every advantage was taken of this circumstance to inflame the public mind. At the funeral of those who had been killed, a general procession was made through the town; the shops were shut, and flags exhibited with emblematical devices and inscriptions, calculated to inspire revenge.

1770.
Efforts to
inspire re-
venge.

A charge of murder was preferred against Captain Preston and the soldiers acting under him, who immediately surrendered themselves into custody. Great efforts were used to procure depositions in corroboration of this accusation; and it is probable, had the trial been immediately proceeded in, such was the popular fury, that they would have been sacrificed. The proceedings were, however, deferred for some months, and, in the mean time, the news of the partial repeal of the tax act had restored a certain degree of calm. The trial was nevertheless conducted with great warmth, and continued six days. Upward of fifty witnesses were examined; and the counsel on both sides exerted great ability. Captain Preston was honourably acquitted; as were all the other parties, except two, who were found guilty of manslaughter*. It was triumphantly observed, by a strenuous adherent to the popular party, that these trials must efface the imputation of the Americans being a people so violent and blood-thirsty as not to permit law and justice to take place on the side of unpopular men. If this claim to moderation is valid, it extends only to mere acquiescence in the decision of a court; it does not warrant a supposition that the rage and ferocity of faction were at all diminished; for the same writer observes, that the proceedings did not alter the opinion of the people on the late tragical scene†.

Indictment.

24th to
30th Oct.
Trial and
acquittal
of the mili-
tary.

The Lieutenant-governor, after the departure of

* Taken from Stedman's History of the American War, vol. i. p. 75; Narrative of the horrid Massacre at Boston, printed by order of the town, and reprinted by Dilly and Almon; account of the riot; case of Thomas Preston, and account of his trial, inserted in the Annual Register, 1770, p. 211.

† Letter from the Rev. Dr. Cooper to Dr. Franklin. George the Third's MSS. British Museum, vol. 191, fo. 59.

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1770.
13th May.
General
court re-
moved to
Cambridge.

Unpopularity
of the non-
importation
agreement ;

which is re-
nounced on
the repeal
of duties.

Remon-
strance of
the city of
London.
23rd May.

the troops, proceeded to hold the general court of the province ; but, justly apprehensive of the influence which their sitting generally produced among the people, he removed them to the town of Cambridge, distant about four miles. Irritated at this proceeding, and conscious of the motive, the council and assembly, although the Lieutenant-governor's speech pointed out several important topics of consideration, refused to enter on any business unless the governor would convene them at Boston, the usual place*.

The patriots who composed this general court were, in fact, reduced to great difficulties. The self-denial imposed by the non-importation agreement had already become extremely irksome in several of the provinces. Newport, in Rhode Island, relinquished the confederacy, and New York meditated a similar proceeding ; Portsmouth, the capital of New Hampshire, had never acceded ; and the superior comforts enjoyed by the inhabitants of these places were little diminished by the anathemas of Boston, where trade was on the decline, and where the merchants envied, while they decried, the effects of a mode of conduct different from their own. While the public mind was in this state the law arrived for the repeal of duties : the associators, gladly seizing this opportunity of making an advantageous compromise between their pride and their necessities, consented to renew their trade with Great Britain, in every article except tea, and orders of more than usual extent were transmitted to the mother-country†.

The contest of the city of London with the court was carried on with unabated acrimony and audacity. Before the rising of parliament, a common-council was held for the purpose of framing another remonstrance to the King, in consequence of his answer to the former, a measure strongly supported by Mr. Beckford, and voted by a great majority‡. The paper was

* Some judicious observations on this proceeding are in Franklin's *Memoirs*, vol. ii. p. 215.

† Stedman, vol. i. p. 77. Marshall's *Life of Washington*, vol. i. p. 149.

‡ 7 aldermen, 105 commoners, to 8 aldermen, 57 commoners.

carried to St. James's by the lord mayor, and a suitable train of attendants: it expressed the deep concern of the city at the awful sentence of censure lately passed upon it from the throne; and after recapitulating the grievances complained of in former addresses, concluded with a prayer to Heaven, that His Majesty might reign, as kings only can reign, in and by the hearts of a loyal, dutiful, and free people.

The King said, he should have been wanting to the public, as well as to himself, if he had not expressed dissatisfaction at the late address. The lord mayor, after obtaining permission to reply, begged leave to declare, on behalf of his fellow-citizens, how much the bare apprehension of His Majesty's displeasure would, at all times, affect their minds; the declaration of it had filled them with inexpressible anxiety, and the deepest affliction. He supplicated the King not to dismiss them from his presence without some comfort, and prospect at least of redress. No answer being returned, the lord mayor and his suite withdrew*.

This extraordinary transaction was considered by many as a specimen of unwarranted presumption, and unpardonable insolence; while others regarded it as an honourable and dignified assertion of the privileges of the city and the rights of the people. Lord Chat-ham was of the latter opinion. He rejoiced that the lord mayor had asserted the city with weight and spirit. In the overflowing of his heart, he declared how truly he loved and respected the spirit which the lord mayor had displayed. "The spirit of Old Eng-
"land," he said, spoke on that never-to-be-forgotten

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The King's
answer.

Beckford's
reply.

* View of the History of Great Britain during the administration of Lord North, p. 10.—The recorder of London, Sir James Eyre, afterward lord chief baron of the exchequer and chief justice of the common pleas, declined attending with this address; his conduct (27th Sept.) was made a subject of investigation before the common-council. In his defence, he alleged that his conscience would not suffer him to be present at the delivery of, much less to read, an address and remonstrance couched in such harsh terms; it appeared to him an indignity to the sovereign and the parliament. The common-council, by a large majority, voted that he should be no more advised with, retained, or employed in the affairs of the corporation, being unworthy of their future trust and confidence. The violence and injustice of this vote were abundantly compensated by the esteem and veneration in which the object of it was held during twenty-seven years, the remainder of his life, and by the public regret at the loss of a learned, upright, and intelligent judge.

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day. If the heart of the court be hardened, the feelings of the people will be more and more awakened by every repetition of unrelenting oppression on one part, and of determined and legal exertions on the other*.

In making these extravagant and fulsome eulogies, the noble earl undoubtedly considered that he was paying a merited tribute to an unpremeditated effusion of manly spirit, drawn forth, whether right or wrong, by the impression of the moment. Time has corrected the error, and shewn that the part of lord mayor was written, studied, and uttered like any speech in a stage play. The Reverend John Horne, then well known as a political character, but afterward much more known as Mr. Horne Tooke, informed his biographer, that the speech was his composition; and, when it was inscribed in letters of gold on a pedestal in Guildhall, exclaimed, that he had obtained statues for others, but none for himself†.

22nd May.
28th.Beckford's
conduct ap-
proved.

The birth of a princess furnished another occasion for the city to display their zeal in giving offence to the King. A court of common-council being held at Guildhall, the conduct of the lord mayor was, after some discussion, in which Mr. Alderman Wilkes bore a principal share, highly approved. He vindicated Mr. Beckford; and alleged, as a reason for not attending at court on the 23rd, that, from the eagerness of ministry to murder the people, he was convinced, if he had gone to St. James's, and only a few boys had shouted, it would have been a pretence for another massacre. On the motion for an address of congratulation, he observed, this did not seem a time for compliments; the citizens of London had been treated of late with great indignity; their petitions were received with contempt, their remonstrance with insult; it seemed to be the only study of administration to affront the city, and provoke the people; as instances of which he adduced the favours conferred on relations

* Chatham Correspondence, vol. iii. pp. 459, 462.

† Memoirs of John Horne Tooke, by Alexander Stephens, Esq. vol. i. p. 157.

of Lord Holland and Lord Barrington, and on Governor Bernard, who had been made a baronet, and received a pension, merely because he was a tyrant, and universally detested by our brethren in America. For these reasons, he observed, the address ought to be very chaste, modest, and reserved, and confined to what he hoped would ever be a subject of real joy to Englishmen, an increase of the Brunswick line*.

An address was framed in strict conformity with this advice, and carried up by the lord mayor and several aldermen: the populace did not omit this opportunity to manifest their hatred of those who were attached to the court. The lord mayor and three aldermen had no sooner passed through Temple-bar, than the gates were shut against Alderman Harley: the mob pelted him with stones and dirt, pulled him out of his carriage, obliged him to take refuge for the preservation of his life; and when he afterwards proceeded in a hackney-coach, followed him to St. James's with fresh insults and renewed injuries. Having committed this outrage, they allowed the city marshal to open the gates, and suffered the rest of the procession to pass unmolested. To protect the King from the repetition of insult, the lord chamberlain informed the lord mayor of His Majesty's desire that no reply might again be made to him: the lord mayor demanded a copy of this message in writing, which was refused; and, after some altercation, the address was delivered and answered.

Far different was the manner in which an address was voted and presented to Lord Chatham, who was thanked for his zeal in support of the right of election and petition, and for his promise to use his endeavours that parliaments might be restored to their original purity, by shortening the period of their continuance, and introducing a more full and equal representation. To this compliment Lord Chatham returned a manly and dignified answer; he applauded the city for their perseverance in defending their rights; but said that

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Address on
the birth of a
princess.

Alderman
Harley in-
sulted.

1st June.
Address of
the city to
Lord Chat-
ham.

His answer.

* Gentleman's Magazine, 1770, p. 273.

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his opinions on the duration of parliaments had been misapprehended; he could not recommend that they should be triennial. His earnest wish for a more full and equal representation had been thrown out with the just diffidence of a private man, when he presumes to suggest any thing new on a high matter. The remainder of his speech contained expressions of civility appropriate to the address.

21st June.
Death of
Beckford.

Soon after this transaction, Mr. Beckford died, and his decease materially affected the state of parties in the city. His influence and wealth enabled him to restrain the diversities of opinion which prevailed among the heads of opposition, and unite them in a compact, consistent body. His adherents shewed him respect, by obtaining a statue to his honour in Guildhall, which represents him in his robes of office, delivering Mr. Horne's speech, which, in letters of gold, as already is mentioned, appears on the pedestal. He was succeeded by Alderman Trecothick, who being a strenuous supporter of the same measures, no difference was immediately perceptible.

29th.

Prediction of
Lord Chat-
ham.

Since the conclusion of the peace, continual efforts had been used to convince the people that they were reduced to a most ignominious situation, and unrespected among the powers of Europe: Great Britain was represented as being without an ally, and daily threatened with the renewal of hostilities. Lord Chat-ham, it is said, predicted, toward the close of the late session, that a great blow either was, or would soon be, struck in some part of the world*. This assertion was founded on truth, and clearly shews Lord Chat-ham's extensive information, or his political sagacity; but if his intelligence was precise, he greatly exaggerated the importance of an exploit, which, although the result of a profound combination, was in itself of very little consequence; the expulsion of the English from Falkland's Islands by a Spanish force.

Combination
of France
and Spain.

It is said that, at the very moment when France and Spain signed the peace in 1763, a private com-

* History of Lord North's Administration, p. 21.

pact was signed between their ministers, by which, at a given date, some years afterward, an attack was to be made on Falkland's Island, in order to produce a rupture resolved on at the very instant of executing a treaty, the first profession of which was, perpetual peace and amity between the contracting powers. A sealed order was given at the moment, and the time for acting upon it was fixed. When the time arrived, circumstances seemed to favour the execution of the plan. The navy, under the administration of Lord Hawke, was left in a neglected state, and utterly unfit to protect our distant territories against the united efforts of two such powerful enemies; but, on the other hand, the pacific disposition of Louis XV. arising from love of ease and voluptuousness, and the declining influence of M. de Choiseul, would prevent that minister from assisting in the commencement of the transaction, although he might entertain hopes, if hostilities should be entered into, of inducing the King to take up arms in support of his ally*.

Unacquainted with any circumstances which should prevent the execution of his sealed order, the officer to whom it was confided began by forcibly expelling the English from Falkland's Islands, a possession which, in consequence of this dispute, was elevated to a degree of notice never before bestowed, and which it has not retained. The *Isles Malouines*, called by the English Falkland's Islands, were considered of so little importance, that their first discovery and original name are not clearly ascertained. They have been successively claimed by, and received appellations from, the English, Dutch, and French. Captain Davis, a companion of Cavendish, in 1592, is reputed the earliest discoverer; but he did not even assign them a name. Two years afterward they were described by Sir Richard Hawkins, who, in honour of Queen Elizabeth and himself, called them Hawkins's Maiden Land. In 1598, two Dutch navigators, Verhagen and Sebald de Wert, called them Sebald's Islands. They then, for

Account of
Falkland's
Island.

* From private information, and a speech of the Earl of Carnarvon in the House of Lords, 22nd January, 1800, Parliamentary History, vol. xxxiv. p. 1209.

more than a century, remained unnoticed to such a degree, that doubts were entertained of their existence; but a voyage being made into that region in 1689, by Strong, whose journal is preserved in the British Museum, he is supposed to have distinguished them by the appellation of Falkland's Islands; the name was adopted by Halley, and from that time inserted in the English maps. The privateers who visited those seas in the reigns of William and Anne, also saw these islands, but were deterred by their dreary appearance from making particular observations. Strong affirmed there was no wood, and Dampier suspected they had no water. A Frenchman, named Frezier, also noticed and called them *Les Malouines**.

Hitherto changes of name, unattended with events, improvements, or possession, were the only circumstances which authenticated the existence of Falkland's Islands; but after Lord Anson's return from his celebrated expedition, commenced in 1740†, they attracted some attention. The narrator of the voyage, anxious to convince the public that the high opinion entertained of Lord Anson, was not merely founded on the capture of the Acapulco ship, descanted, among other topics, on the national advantage of securing a settlement in Pepy's and Falkland's Islands, affirming it to be essentially necessary for future operations against the Spanish settlements in Chili, as it would produce many benefits in peace, and, in war, render the English masters of the South Sea.

The credit and influence of Lord Anson enabled him to procure, in 1748, the equipment of a squadron for the purpose of obtaining a fuller knowledge of Pepy's and Falkland's Islands, and for making further discoveries in the South Sea; but General Wall, ambassador from Spain, making remonstrances, the project was abandoned; but the right to pursue it was not explicitly renounced.

The magnificent advantages promised in the ac-

* Derived from *St. Malo*.

† See Smollett's continuation of Hume, vol. iii. pp. 41, 141.

count of Anson's voyage, and the anxious desire entertained by the French to obtain an equivalent for the ceded dominion of Canada, induced M. de Bougainville, in August 1763, to fit out two vessels, for the express purpose of making discoveries, and effecting an establishment in the Malouines. In 1764, he took possession in the name of the King of France*, but afterward was dispatched to Madrid, and not only relinquished the settlement in favour of Spain, but accompanied a Spanish governor to an island which then received the name of Port Soladad.

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Settlement
made by the
French ;

but ceded to
Spain.

Meanwhile the Admiralty of England prepared another expedition under Captain Byron, who sailed in May 1764, and on the 23rd January 1765, took possession of one of the islands, in the name of the King of Great Britain. On his return, a narrative of the voyage was published, in which the settlement was described as an object of the highest importance; the island was said to be six or seven hundred miles in circumference, with a spacious and secure harbour, which, in honour of the first lord of the Admiralty, was named Port Egmont; it was well adapted for the growth of wood; provided with excellent water; abounding in vegetables and wild fowl, and supposed to contain iron, and perhaps more valuable ores.

Settlement
by England.

Influenced by this description, the British Government, early in 1766, sent Captain Mac Bride to Port Egmont, where he erected a small block-house, and stationed a garrison. But his report did not verify the hopes derived from Captain Byron's account; he found a mass of islands, and broken lands, the soil was mere bog, while perpetual storms in winter rendered the communication with the shore extremely difficult and precarious. Sea-lions and penguins, animals of no worth, were abundant; but there were no means of providing sustenance in winter, and summer promised nothing more than a few geese and snipes, and a crop of wild celery and sorrel. Nor did the soil yield to the efforts of cultivation; a garden was pre-

† See History of a Voyage to the Malouine or Falkland's Islands particularly, p. 218, of the English translation in 4to. 1773.

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28th Nov,
1769.
Arrival of
a Spanish
schooner.

pared, but the plants withered; and even firs, the hardy produce of the bleakest regions, could not resist the climate of the Falkland's Islands, but perished like weaker herbage*.

The garrison continued in this situation, deriving annually, at a great and unprofitable expense, their supplies from England, unprovided against, and not expecting an assault, when a Spanish schooner, from port Soladad, was observed hovering about the island. Captain Hunt of the *Tamer* immediately warned the Spanish commander to depart from the coast, as belonging to the King of Great Britain; an order which met with instant compliance.

30th.
Remon-
strance of
the Spaniards.

In two days the schooner returned, with a Spanish officer on board, and letters from Don Philip Ruiz Puente, governor of Port Soladad, expressed in terms of civility. The governor, affecting to be unacquainted with the formation of an English settlement, and to consider the presence of Captain Hunt as accidental, declared his astonishment at the interruption of the schooner's voyage, and suggested that the conduct of the pilot must have been irregular: for he was persuaded that an officer commanding a ship of war belonging to so civilized a nation, could not be so deficient in the respect due to the Spanish flag in the King of Spain's dominions.

In answer, Captain Hunt asserted, that the islands belonged to His Britannic Majesty, both by discovery and settlement, and warned the Spaniards to quit them within six months. The Spanish officer from Soladad protested against the pretensions and conduct of Captain Hunt, who must be responsible for the ill consequences likely to ensue; the causes of protest were Captain Hunt's threatening to fire, if the Spaniard attempted to execute his commission, and opposing his approach to the colony; and it was declared that Captain Hunt's entering Soladad harbour, although in

* This account is taken principally from Dr. Johnson's *Thoughts on the late Transactions respecting Falkland's Islands*. Reference has also been had to *Bougainville's* and *Byron's Voyages*, and *Penrose's Account of the last Expedition to the Falkland's Islands in 1772*.

an amicable manner, would be deemed an insult. Other letters, answers, and protests, ensued in the course of the succeeding month, but were productive of no further consequences.

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At length, two Spanish frigates, of considerable force, with troops on board, arrived at Port Egmont. The commander, Don Fernando de Rubalcava, wrote to Captain Hunt, expressing great surprise at finding a kind of settlement under the British flag; claimed the dominion as the right of his master, the King of Spain, and accused the British commander of having violated the terms of the last peace; but he would abstain from all other proceedings till he had acquainted His Catholic Majesty with this disagreeable affair. Captain Hunt again asserted the King's right to the territory, but behaved with polite attention to the Spanish commander, and assisted him to procure a supply of water, a want of which he had alleged as a motive for touching at Port Egmont.

20th Feb.
Arrival of
two Spanish
frigates.

The situation of affairs was now become so critical, that Captain Hunt thought it advisable to return to England; and left Captain Maltby, in the *Favourite*, of sixteen guns, chief in command: the *Swift*, also a sloop of sixteen guns, which, with the *Favourite*, constituted the whole naval force left after Captain Hunt's departure, was unfortunately overset in the straits of Magellan; three of the crew were drowned, and the rest, with the utmost difficulty, saved.

Captain
Hunt sails
for England.

Shortly after this event, a Spanish frigate put into Port Egmont, under pretence that she had been fifty-three days from Buenos Ayres, going to Port Soladad, and was distressed for water. In a few days, the remainder of the force arrived; and it then appeared that they had been at sea but twenty-six days, having sailed for the express purpose of expelling the English. For this exploit they had on board upward of sixteen hundred men, a hundred and thirty-four pieces of cannon belonging to the ships, and a train of artillery, and other materials, sufficient for the investment of a regular fortification; while the English force, on shore, consisted only of four pieces of cannon, unfit for ser-

4th June.
Arrival and
proceedings
of a Spanish
armament.
7th.

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vice, and a wooden blockhouse. A Spanish broad pendant was immediately hoisted; Captain Farmer ordered the men who had belonged to the *Swift*, to come on shore for the defence of the settlement; and Captain Maltby, intending to bring the *Favourite* nearer into the cove, the Spanish commander threatened to fire into him if he weighed anchor. Captain Maltby, notwithstanding this menace, stood out to sea; two shots were fired, which fell to leeward; and three of the Spanish frigates, in imitation of the English commander, quitted the harbour. Captain Maltby sent an officer to the Spanish admiral, to know why he had fired, and received for answer that the shot were merely meant as signals.

Captain Farmer now dispatched a message, requiring the frigates, as they had obtained refreshments, to leave the island without delay. The Spanish commander, John Ignacio Madariaga, wrote the same day to both the commanders, advising them to consider the immense superiority of his force, and the harmony reigning between their respective sovereigns, and to quit the port immediately, otherwise he would be compelled, though reluctantly, to use hostilities. The ensuing day he wrote another letter to the same effect, demanding a categorical answer in fifteen minutes. In reply, Captain Maltby insisted on the right of continuing; protested against the Spaniards who obliged him to retire by means of their superior force, and announced his resolution to maintain the honour of the British flag. Madariaga returned that it was not then proper, nor was it his business, to discuss questions of right; but he should do what he thought just, submitting to the British and Spanish courts the question of propriety; and desired the captains to send an officer who might view his force, and convince themselves of the inutility of resistance.

In the night, Captain Maltby landed fifty of the *Favourite's* men, with two six-pounders, ten swivels, small arms and ammunition; the next morning, the Spaniards disembarked part of their troops to the northward. Having advanced half way to the block-

house, the rest of their boats, with the remainder of their troops, and artillery, rowed into the cove, covered by the fire of the frigates. The English fired a few shot, but finding resistance ineffectual, hoisted a flag of truce, and desired articles of capitulation. The terms were in themselves sufficiently haughty; an immediate surrender and evacuation of the island; and this unconditional submission was rendered more irksome by a stipulation, that the British forces should not depart for twenty days. To enforce submission, the Favourite's rudder was taken off and carried on shore. The obvious intent of this proceeding was to allow ample time for a Spanish vessel to reach Europe with intelligence before any could be received in England, and the harshness of the measure is not palliated by the forbearance of Madariaga, in not seizing the few unimportant effects possessed by the English*.

Meanwhile Captain Hunt arrived at Plymouth, and informed the Admiralty that the island had been claimed by the governor of Port Soladad; but this act being considered as the effect of a splenetic quarrel, the intelligence excited no sensation. Mr. Harris, the British chargé d'affaires, who was left at Madrid, on the departure of Sir James Gray in August 1769, next gave notice to Lord Weymouth of the arrival of a vessel from Buenos Ayres, which brought intelligence that an armament, fitted out in May from that settlement, intended to dislodge the English from Port Egmont; but their success was considered extremely uncertain. The fact was, at length, rendered indubitable by Prince Maserano, the Spanish ambassador in London, who voluntarily announced to Lord Weymouth, that he had reason to believe that Don Francisco Buccarelli, the Spanish governor of Buenos Ayres, without any particular orders, had taken on himself to dispossess the English of Port Egmont; and Captain Maltby, arriving shortly afterward, transmitted from the Motherbank an account of the late events, sup-

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The English
expelled.

3d June.
Arrival of
Captain
Hunt in
England.

23d August.
Intelligence
received
from the
British
chargé
d'affaires in
Spain;

12th Sept.
and from
the Spanish
ambassador
in London.

* Dr. Johnson's Pamphlet; Papers published by Authority; Debrett's Debates, vol. i.

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Observa-
tions.

ported by proper documents. However faithfully and judiciously the sealed order had been executed, the enterprize, at the time, did not suit the interests and views either of France or Spain. M. d'Ossun, the French ambassador at Madrid, remonstrated against the aggression; the order was forgotten, nor was it recollected, until produced by the Spanish officer in his own justification*.

Undoubtedly the circumstances of the case would have warranted immediate hostilities; but, considering the internal affairs of England, it was more prudent to omit no means of arranging the dispute by amicable negotiation. The people were fired at the indignity offered to the British flag, by a nation whom they considered as the most feeble of opponents, and whose immense wealth they, in idea, fondly grasped as an inevitable and easy prey. There is no principle so just as not to be perverted by the adoption of exaggerated notions, and on that account popular reasonings are more frequently delusive, when founded on some undeniable axiom. A statesman cannot regulate his conduct in conformity to all the deductions made by the public from incontrovertible data, but must in every instance be guided by peculiar features of the individual transaction, not making himself the slave of a system which may often fail in its application to cases apparently parallel. In the present affair, the conduct of administration could hardly afford general satisfaction: if the ministry adopted a pacific course, the injured honour of the nation, the facility of revenge, and the certainty of a glorious contest, would form themes of inexhaustible declamation; if, on the other hand, they yielded to the popular ardour, and engaged in hostilities, however justifiable, the unimportant object in dispute, the necessity of allowing the suffering country a longer period to recruit after its late exhausting conflict, together with the common-place topics by which war is deprecated and peace recommended, would have been incessantly enforced, and

* Speech of the Earl of Carnarvon, before referred to: the noble earl said he derived his information from the Marquis d'Ossun himself.

placed in all the various forms which party ability could supply.

The ministry had the misfortune to experience the difficulties and discredit attached to both these modes of conduct, without receiving the approbation due to either. On the receipt of the intelligence from Prince Maserano, a spirited and proper answer was given, that it would depend solely on the King of Spain to preserve amity, by disavowing the governor, and restoring what had been taken in a time of profound peace*. Orders were immediately issued from the Admiralty for preparing guardships; and when the Favourite arrived, bounties to seamen were offered by royal proclamation; ships were put into commission, and the usual measures adopted for making a formidable and efficacious naval preparation. But, however agreeable these exertions might be to the temper of the nation, and however serious the crisis, the arts of opposition were earnestly and incessantly employed in rendering the efforts of government vain and abortive.

The sailors, generally anxious to offer their services in a war against Spain, were now led to believe they had suffered injustice by the distribution of the Havannah prize money, in the preceding war, and evaded by all possible means the call of the country†. They were taught to adopt the prevailing fashion, and attended the King with a petition, wherein they cited acts of parliament, and reasoned profoundly on the impropriety and illegality of recruiting the navy by means of press-warrants‡. The lords of the Admiralty applied to the Lord Mayor of London, requiring him to sanction these authorities; but he refused to do it on their application, alleging that it was not customary, unless the request came from the privy-council. And although afterward the warrants were properly backed by the chief magistrate§, the execu-

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1770.
Conduct of
the ministry.

13th Sept.

22nd.

Opposition.

26th Oct.

* Letter from Lord Rochford to Sir A. Mitchell, 18th Sept. 1770. Papers, No. 8662.

† History of Lord North's administration, p. 25.

‡ Gentleman's Magazine, 1770. p. 401.

§ Trecothick was exposed to great censure for this act, and, at the expiration of his mayoralty, obliged to explain and apologize to the livery for his conduct.

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Westminster
meeting.

30th.

31st.

tion of them was impeded by the spirit of faction, and Mr. Wilkes liberated a man who was impressed in the city.

This was not the only instance in which Mr. Wilkes shewed his inclination to impede the operations of government, and increase the ferment of the public mind. A meeting of the members of two political tavern clubs was convened for the purpose of discussing the propriety of giving instructions to the members for Westminster to impeach Lord North. On this occasion, the dissensions among the city demagogues, which had been restrained during the life of Alderman Beckford, displayed themselves in public contention. Sir Robert Bernard was in the chair; the instructions for impeachment were supported by Mr. Wilkes, and combated by Alderman Sawbridge, who recommended a remonstrance; but the opinion of Mr. Wilkes prevailed. The next day a large concourse of people assembled at Westminster-hall, to hear the proposal discussed; but the resolution of the preceding day was over-ruled, and the remonstrance voted. Although Wilkes and Sawbridge disagreed in the measure they proposed, they seemed to entertain principles perfectly congenial, and their efforts formed a struggle for pre-eminence in vulgar and licentious railing against the King and his ministers. Mr. Wilkes opposed the remonstrance, "because it "would only serve to make a paper kite for the Prince "of Wales;" and Sawbridge resisted the impeachment, "because Lord North, by his influence over the bishops "and Scotch peers in the Upper, and over the placemen in the Lower House, would be infallibly acquitted, and the people precluded from any further "complaint." The remonstrance required, among other absurdities, "that His Majesty would for ever "remove from his presence and councils all his ministers and secretaries of state, particularly Lord Mansfield; and not admit a Scotchman into the administration *."

* See Wilkes's Account of the Proceedings at the late Meeting of the Electors of Westminster, *Gentleman's Magazine*, 1770, p. 519, 538; *Annual Register*, 1770, p. 160.

Soon after this ridiculous and indecorous transaction the session of parliament commenced. The king informed the Houses that, by an act of the governor of Buenos Ayres, in seizing by force one of his possessions, the honour of the crown and security of the people's rights were deeply affected. He then stated the measures hitherto pursued, and called on parliament for advice and assistance. His Majesty also adverted to the state of the American colonies, observing that, in most of them, the people had begun to depart from the combinations calculated to distress the commerce of the kingdom; but that, in some parts of Massachusetts Bay, unwarrantable practices were still carried on, and his good subjects oppressed by lawless violence.

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1770.
13th Nov.
Meeting of
parliament.

The address in the House of Lords was carried without debate.

In the House of Commons an address was moved, in a maiden speech, by Lord Greville. Mr. George Rice, in seconding the motion, adverted necessarily to the seizure of Falkland's Island, by which, he said, the King and the subject were equally injured, not on account of the value of the place, which was despicable, worthless, and altogether a desert, incapable of cultivation; not on account of any insult which might be supposed to be cast on our forces by sea or land; their prowess and courage had been too recently displayed to be brought into question through any act of folly or injustice by a Spanish government; but yet, they who would not expose themselves to great injuries, must repress small ones; we must insist on satisfaction, not because Falkland's Island had been taken, but because something of more worth might be taken at a future period; just as petty breaches of the peace were prosecuted, to prevent formidable attempts against property and life.

Debate on
the address.

On this motion, a long conversation, rather than a debate, was maintained. Sir William Meredith, Colonel Barré, Mr. Burke, and Mr. Dowdeswell, assailed the speech and ministers. The speech, it was said, did not convey as much intelligence as a common newspaper. Those fugitive productions, which die almost

as soon as they are born, and hardly equal in duration the life of an ephemeron fly, imparted more knowledge than the master-piece, the annual specimen, of ministers in the art of government and rhetoric. The speech had every deficiency that could make it despicable; it was neither sound sense nor grammatical English; their conduct was assimilated to that of the ministers of Charles the First, and they were reminded of the disasters which flowed upon King John and Edward the Second, in consequence of their waging foreign wars while discontent prevailed at home.

As ministers, by their cowardice and ignorance, had involved us in war, they would, by the exercise of the same virtues, render us incapable of carrying it on with success. Any other men would have foreseen the approach of the calamity, or, if blind themselves, would have profited by the sharp-sightedness of better eyes; they had many warnings, but their benumbed faculties betrayed the stupor of idiotism. They lay plunged in, supine security; they attended to nothing but their amusements and their libels, until at length the garrison, which was driven from Falkland's Island with the yoke of a capitulation about their necks, knocked at their door, and told them it was war. Then, at broad noon day, they opened their eyes, as if they had been surprised at midnight; and, like men between sleep and awake, they ran about in hurry and dismay, crying out war, and begging peace; bullying and submitting: striking their heads against every thing they met; incapable of distinguishing foes from friends; till at length (like a poor skipping, fidgetting, fascinated squirrel, that jumps for refuge into the mouth of the rattle snake) they concluded their wild, inconsistent efforts, by taking France for their mediator; a mediator between England and Spain! and, if we must go to war, who, as commander-in-chief, was to take the place of the Marquis of Granby?

Our distresses, however, were not without consolation; we had an excellent secretary at war; a secretary whose dispatches might safely be trusted to our enemies, since it was impossible our friends could under-

stand them. Of his ability to write intelligibly and give spirit to our troops for such purposes as he saw fit, a memorable instance was afforded in the destruction of His Majesty's subjects in St. George's Fields. As ministers had, for two years, degraded their royal master by a quarrel with a wretched libeller, so they would now commit his dignity in a contest with a little Spanish officer: the terrible foes that roused their vengeance were John Wilkes and Don Francisco Buccarelli*. What was this but breaking a fly upon the wheel, or making Jupiter hurl his bolts against a pigmy? Other members dwelt on the Middlesex petition; but no member spoke favourably of its hero. "Why should we be surprised at the other acts of government," Mr. Burke observed, "when the complaints of the people about the Middlesex election are unregarded? I do not say that we are not a legal House of Commons; I do not countenance the insolence of Westminster and the capital; but I must and will say, that many sober and good citizens, swayed by the authority of Locke and other constitutional politicians, may suspect us to be a House of Commons *de facto* and not *de jure*."

Corsica was not forgotten; the French, it was said, exhausted with the vast expense of life and treasure they had previously incurred, would have deemed our intervention in behalf of the brave islanders a favour; they would have thanked us for an honourable pretence to withdraw themselves from a scene of perpetual destruction. We acted like poltroons, and poltroons will always be insulted.

The labourers in the ministerial vineyard had no reason to plume themselves on the termination of the quarrel they had revived in America. Their support, and that of the Irish, could be purchased only by the removal of every cause of discontent. Instead of charging the Americans with "very unwarrantable

* Colonel Barré, from whose speech these observations are extracted, called Don Francisco his old friend. His puerile, not to say coxcombical account of their acquaintance, exposed him to well-deserved ridicule in a pamphlet called "Anticipation."

"practices," and thus threatening coercive measures, the ministers ought to have repealed, with the other duties, that on tea, and adopted every other scheme of reconciliation. When, instead of being contented with the assertion of right in the declaratory act, they attempted taxation in another form, true to their original principles, the Americans refused to import the articles assessed. As we rose, they rose; as we relaxed, they receded: all the imposts were withdrawn, except those on tea; they imported all other goods; but, with respect to that, remained inflexible. Thus an advantage had been gained over them. The loss of their trade, their affection, and their allegiance, had been hazarded; but the quarrel was as far from being compromised as ever; and he who should advise hostilities against the Bourbon compact, before a compact should take place between Great Britain and her colonies, must be a foe or a driveller.

To many of these desultory remarks no answer was attempted; the affairs of America were little noticed by the supporters of government. Lord Barrington, with great spirit, repelled the observations of Colonel Barré and Mr. Burke. Two of his letters to the governor of Gibraltar, out of many hundreds—he almost had said hundreds of thousands—which he had written during a busy life of ten years, had been selected and termed unintelligible; but they were understood and acted upon by those to whom they were addressed, and submitted to a court-martial and to that house, and he had been acquitted by both. The affair in St. George's Fields had been brought under the notice of parliament to answer the dark purposes of a desperate faction; and although its whole force was exerted on the occasion, the mover, Mr. Burke, could get no more than thirty-nine to divide with him. He treated with great severity the honourable member's fanaticism and his fondness for figures of rhetoric: he would shew more propriety and discretion if he could be persuaded to transfer the scene of his declamation to the school of his countryman, Sheridan.

Administration, it was admitted, did not, as soon as

they heard of the attack on Falkland's Island by a Spanish officer, seize all the French vessels they could find; nay, more; they had suffered death to carry off the Marquis of Granby. His loss, Lord Barrington observed, must ever be deplored, and particularly by himself, as a reciprocal esteem and regard, notwithstanding political differences, had always subsisted between them.

Lord North, with his usual felicity, shewed how great had been the waste of words in the discussion. After all the oratory that, with such amazing profusion, had been poured out, about the governor of Buenos Ayres, and John Wilkes, and Corsica, and a mediator with Spain, none of the orators had proposed an amendment. Like the man, who having but one story to tell, which was about a horse, contrived to introduce it on all occasions; the patriots made every thing an occasion for a common-place declamation against wicked and foolish ministers. They patched together scraps, which one of them retailed in newspapers, and others carefully gleaned up; one half of them being constantly dupes to the artifices of the other.

He treated the assertion about Corsica as one which wanted evidence. On the contrary, he believed that our interfering would have brought on instead of preventing a rupture. Had such a course been pursued, ministers would have been censured for not allowing the enemy to waste their blood and treasure on an object which they might find to be a thorn in their side.

It had been said that ministers had degraded their sovereign by a contest with a pitiful governor of Buenos Ayres. Had they rushed into war, they would equally have been blamed: the value of the territory could never have been deemed a sufficient cause. It was a proper subject for negotiation, and nothing could be more prudent than to give the King of Spain an opportunity of disavowing the acts done by the governor. From the newspapers, those oracles of knowledge and truth, which had been said to convey more intelligence of national affairs than the King's speech,

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it had been asserted that Great Britain had solicited the mediation of France. There had been no such solicitation. If Great Britain had stood in need of a mediator, she would have wanted a protector too; and that could not be, as she was, at that moment, if not the first and greatest, one of the first and greatest powers in Europe.

"But," his lordship observed, "supposing a rupture now inevitable, we are told that the King will go to war with only half his people. Can any mortal, who does not read the Persian tales as true history, believe that, because we have little political squabbles among ourselves, the people will throw off at once their allegiance, their interest, and their honour, abandon their lawful sovereign, and offer their necks to a foreign yoke? This surely is the raving of a madman, or the dream of an idiot. He that has sense to feed himself, or reason to distinguish rags and straw in a cell in Bedlam from the trappings of royalty, can never draw so monstrous a conclusion."

In the midst of a reply by Mr. Dowdeswell, the house became impatient, the question was called for, the address read from the chair, and agreed to without a division.

Motions
for papers.
22nd Nov.

Soon after this discussion, a motion was made, in each house on the same day, for an address, praying the King to give directions, "that all papers received by the ministry, between the 12th of September, 1769, and the 12th of September, 1770, touching hostilities, commenced or designed to be commenced by the crown of Spain, or any of its officers, together with other papers relating to the claims of Spain upon Falkland's Islands, and the state of Spanish land and sea forces in the West Indies, should be laid before parliament." The motion in the Lords was made by the Duke of Richmond. On the first resolution being read, Lord Weymouth anxiously deprecated the consequences and inconveniences that must flow from the required disclosure. We were engaged in a negotiation with Spain; the interests of two great nations were at stake, and their secrets were

of a nature too tender to undergo the general inspection of every power in Europe. If it were possible to confine the knowledge, when imparted, to that house, he should, as a minister, decline opening the sources of their intelligence, the springs of their action, and the principles of their conduct, to suspicious friends, professed rivals, or determined enemies. Considering the calamitous consequences of war, he should be anxious to procrastinate the period as long as honour would justify delay. When he spoke of national honour, he did not mean the raving of the rash, or enthusiasm of the prejudiced: he meant a prudent preservation of our territories, a spirited exertion of our independence, and a rigid fidelity to our engagements: by this criterion, he could boldly affirm that the negotiation with Spain would be conducted and concluded; and he moved the previous question.

Still the Duke of Richmond persevered. He entered historically into the transaction; the hostile intentions of the Spaniards, he said, were not limited to the claim of Falkland's Island, as appeared by their preventing the departure of the garrison and ship's crew immediately after the capture; and he asserted that no less than three thousand British seamen were then prisoners in ports belonging to Spain, particularly at Ceuta, on the coast of Africa, who had been taken out of merchant ships by guarda-costas, and condemned to perpetual slavery or confinement. In answer, Lord Hillsborough contended, that the production of the papers would embarrass a negotiation already begun, and in a fair way to produce an amicable adjustment of differences. The warmth which had been displayed might be a sign of sincerity, but was no great evidence of discretion. To some kingdoms, war was a trade; in France, it was the bread of thousands; Switzerland sent courage, as an object of natural growth, to the military market; Prussia had almost as many soldiers as citizens; but the prosperity of the British empire was founded on peace. In peace, agriculture, manufactures, the arts, commerce, and population, were advanced, abundance united in

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every quarter, and all was happiness and joy. All this beautiful prospect was reversed when the goddess of discord summoned us to the field; and yet, while groaning over the decay of trade and the pressure of taxation, popularity cried, "Go to war with Spain!" that is, "Let our trade sustain additional injuries; let fresh impositions be added to the already intolerable burthens of the people." Indeed, the language of patriotism was so inconsistent, that there was scarcely a possibility of contending with its absurdity. "We are a ruined, an annihilated kingdom; not a ship manned, or a regiment ready for service; the nation, disaffected to government, will not exert its strength under so despicable an administration." Yet, in the midst of all this ruin, in the fulness of all this annihilation, without a fleet, without a land force, without a friend, "Go to war" is all their cry; "Go to war, and become an instant prey to your enemies." His lordship observed with great severity, on the Duke of Richmond's motives in the course he was taking: he solicited the huzzas of the mob, whose very liberty he sought to render insecure, and whose burthens he was desirous to increase; while it was the aim of ministers to cultivate the blessings of peace, as long as they could do so with honour, and neither to call for the blood or the treasures of their fellow-citizens, until both became necessary for the preservation of the country.

In the course of his observations, Lord Hillsborough descanted on the delicacy and punctiliousness of Spanish honour.

This furnished a theme to Lord Chatham, who ridiculed Spanish honour, and asserted the English to be a candid, ingenuous people, while the Spaniards were no less mean and crafty than they were proud and insolent. He objected to negotiation, and treated the supposed disavowal by the court of Spain of their governor's act as an absolute falsehood. When the French took possession of Tortuga, the minister at the head of the treasury* did not negotiate: he sent for the French ambassador, made a peremptory demand;

* Mr. George Grenville.

a courier was dispatched to Paris, and returned in a few days, with orders for instant restitution, not only of the island, but of all effects belonging to the English. The present negotiation might produce a temporary arrangement; but, in six months, the country would be involved in a Spanish war. He disclaimed the imputation of being inclined to hurry the kingdom, at all events, into hostilities; he was desirous of peace; but let it be honourable, let it be secure: a patched-up peace would not satisfy the nation, though it might be approved in parliament. He then entered into a long statement, proving that the naval service had been egregiously neglected; indicated the maritime exertions, which, in time of war, would be requisite; and asserted that in more than two months, ministry had not raised above eight thousand seamen: they boasted of having put forty ships of the line into commission; but, to his certain knowledge, forty thousand men would be necessary to equip such an armament, with its attendant frigates*. The Spaniards, he de-

* In this part of his speech, Lord Chatham expressed his sentiments at length on the subject of impressing seamen; and, as they merit consideration, the following extract is given: "The subject on which I am speaking seems to call upon me, and I willingly take this occasion, to declare my opinion upon the question, on which much wicked pains have been employed to disturb the minds of the people, and to distress government. My opinion may not be very popular; neither am I running the race of popularity. I am myself clearly convinced, and I believe every man who knows anything of the English navy will acknowledge, that, without impressing, it is impossible to equip a respectable fleet within the time in which such armaments are usually wanted. If this fact be admitted, and if the necessity of arming on a sudden emergency should appear incontrovertible, what shall we think of those men who, in a moment of danger, would stop the great defence of their country? Upon whatever principle they may act, the act itself is more than faction; it is labouring to cut off the right hand of the community. I wholly condemn their conduct, and am ready to support any motion that may be made for bringing those aldermen, who have endeavoured to stop the execution of the admiralty warrants, to the bar of this House. My Lords, I do not rest my opinion merely on necessity. I am satisfied that the power of impressing is founded on uninterrupted usage; it is the *consuetudo regni*, and part of the common-law prerogative of the crown. When I condemn the proceedings of some persons on this occasion, let me do justice to a man whose character and conduct have been infamously traduced,—I mean the late lord mayor, Mr. Trecothick. In the midst of reproach and clamour, he had firmness to persevere in doing his duty. I do not know in office a more upright magistrate; nor, in private life, a worthier man." Before he made this speech, Lord Chatham had declared his opinions in a letter to Lord Shelburne (11th Nov.). "There is also," he said, "reason to fear a race of frivolous and ill-placed popularity about press-warrants. I am determined to resist this ill-judged attempt to shake the public safety."

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clared, had in Ferrol a fleet completely manned and ready to sail, which Great Britain was in no condition to meet. We could not send out eleven sail perfectly equipped; and if the House of Bourbon were to make a wise and vigorous use of their actual advantage, in a month we must be no longer a nation. He wholly condemned our entering into engagements which might tend to involve us in a continental war; but, if a foreign army were landed in Ireland, with arms ready to be put into the hands of the Roman Catholics, he should wish it were possible to collect twenty thousand German protestants, whether from Hesse, or Brunswick, or Wolfenbuttel, or even were they unpopular Hanoverians, and land them in Ireland. Having taken what he acknowledged to be a wide circuit, he concluded in these words: "The ministry are now
 "balancing between a war which they ought to have
 "foreseen, but for which they have made no provision,
 "and an ignominious compromise. Let me warn them
 "of their danger: if they are forced into a war, they
 "stand it at the hazard of their heads; if, by a com-
 "promise, they should stain the honour of the crown,
 "or sacrifice the rights of the people, let them look
 "to their consciences, and consider whether they will
 "be able to walk the streets in safety."

Several other peers spoke on the question, particularly Lord Gower, Lord Lyttelton, the Duke of Manchester, the Marquis of Rockingham; and Lord Sandwich, with considerable effect, retorted on opposition the charge of disagreement in opinions, which had been alleged against the ministry; they disagreed, he observed, at York meeting, at Westminster, and in that house; he could trace discordant sentiments among them through the whole chain of opposition down to Wilkes and Eldridge. The previous question was loudly called for, and rejected by a large majority*. The debate in the House of Commons, though long, animated, and sustained by good speakers on both sides, did not, so far as can be judged from the published reports,

embrace any novelty of argumentation, or disclose any new fact. It was terminated by a vote against the previous question*.

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Further
efforts.
Nov. 26th.

Not content with this defeat, the Lords in opposition prepared for a new attack. The Marquis of Rockingham incited Lord Chatham to get the same motions which had been so recently rejected in both houses of parliament renewed, and suggested that a desire to know the import of some intelligence lately received from Captain Leveson Gower should be added. The Marquis thought they should still keep to the line of attacking the administration for their neglect in not arming earlier, and of forcing them, by all means, to lay before parliament and the public those intelligences which, it was hoped, would strongly prove their neglect. If parliament should vote that there was no ground for blame, the public would think differently, and the party might proceed to shew, that even when the ministers had taken fright and begun to arm, they did it weakly and ineffectually. Lord Chatham readily embraced the propositions; but Lord Camden, more considerate and prudent on this occasion, excused himself in kind and civil terms from attending in his place. The motion bore too much resemblance to that which had so lately been rejected, to make his attendance on the one consistent with his absence on the other. Lord Chatham was defeated on two motions, one for the examination of Captain Hunt, of the *Tamer*, at the bar; the other for information, at what time the first demand for reparation was made†; and on the same day a motion in the Commons, intended to produce the same effect, was disposed of by one for an adjournment‡. Up to the period of the recess, the tendency of general opinion was, that war was in-

28th.

Progress of
negotiation.

* Carried by 225 against 101. Writing to his friend Mr. Calcraft on this subject, Lord Chatham says, "The debate in the Lords, indifferent enough! "How was it in the House of Commons?" Chatham Correspondence, vol. iv. p. 1. Perhaps, if the answer is extant, it is a mere echo of the question. Common-place and personality, invectives against ministers, and retorts on the views and motives of their opponents, occupy a very large portion of the speeches in the House of Lords; and those in the Commons were very meagre.

† 55 to 21, 54 to 20. Chatham Correspondence, vol. iv. pp. 27, 29, 30.

‡ 94 to 40. Journals, Nov. 28.

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evitable, and the minority were anxious to obtain from the ministry some explicit declaration, some unequivocal pledge, that should bind them in the conduct of hostilities, and retard, if not prevent, the possibility of peace. But, in fact, the negotiation was proceeding in a manner which gave reason to hope for a prosperous termination. It has been already stated, that, before the arrival of Captain Hunt in England, with an account of his expulsion from Falkland's Islands, a letter was received by Lord Weymouth from Mr. Harris, apprising him of the intended expedition; and, about the same time, Lord Weymouth was informed by Prince Maserano, that he had reason to believe the governor of Buenos Ayres had taken upon himself to make use of force in expelling the English from Port Egmont. Maserano said he was directed to make this communication to prevent the consequences which might arise from its being disclosed through another channel, and expressed his wishes that it might not be productive of measures dangerous to the good understanding between the two courts. Lord Weymouth answered, if the expulsion had already taken place, he did not think the fatal consequences could be avoided; the King's instructions to the British officer commanding at Port Egmont were to warn the subjects of other powers from those shores; but if they would not depart, to make a joint settlement with them, and refer the question of right to be discussed in Europe. He inquired whether Grimaldi had instructions to disavow the conduct of Bucarelli. On receiving an answer in the negative, Lord Weymouth, having obtained further instructions, demanded a disavowal of the proceedings at Port Egmont, and that the affairs of the settlement should be restored to their pristine state. He also wrote to Mr. Harris, stating these circumstances, and requiring him to wait on the Spanish minister and enforce a compliance with those demands, as the only means of suspending the preparations which were making in England. Mr. Harris, afterward Earl of Malmsbury, who was then a young man, began his diplomatic career with this delicate transaction, and displayed great sagacity and

12th Sept.

address. He waited on M. Grimaldi, and in very proper language delivered the complaints and demands of his government. The answer was vague and unsatisfactory: Grimaldi asserted, the English had reason to foresee the event, as their establishment was known to be disapproved by Spain; he testified concern at the transaction, and said he had dispatched a vessel from Corunna to prevent it, but unfortunately too late; still he could not blame the conduct of Buccarelli, as it was founded on the laws of America. He declared Spain to be desirous of peace, as she had much to lose and little to gain by war. Mr. Harris having reduced his demands to writing, the Spanish minister promised to lay them before the King: the desire of peace was declared to be reciprocal, but Grimaldi was tenacious of his master's honour, while Mr. Harris insisted on a compliance with the terms of his requisition, as the only mode of doing justice, and satisfying the honour of Great Britain. Two days afterward, Mr. Harris was informed by the minister, that as the affair could only be arranged in London, Prince Maserano was directed to lay before Lord Weymouth "the several ideas" on this subject, trusting some of them would be adopted.

Instructions were transmitted to Prince Maserano, to propose a convention, in which Spain should disavow any particular orders given to Buccarelli, and at the same time admit that the governor had acted agreeably to general instructions, and to his oath. Maserano was also empowered to stipulate the restitution of Falkland's Island, without prejudice to His Catholic Majesty's rights, and to require the King of England to disavow the menace of Captain Hunt. When this proposition was made, Lord Weymouth, considering it extremely remote from affording satisfaction for the injury complained of, answered with great spirit, that when the King's moderation condescended to require from the court of Madrid a disavowal of the proceedings of the governor, and the restoration of things to the situation in which they stood before his rash and unwarrantable undertaking,

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as the smallest reparation that could be accepted, nothing remained for discussion but the mode of carrying the demand into execution. His Majesty would firmly adhere to his demand; he had received an injury; he required the most moderate reparation which his honour would permit him to accept; it would lose all value if conditional, and the convention was inadmissible. Maserano declared he had no further powers, and must apply for instructions. Lord Weymouth wrote to Mr. Harris, desiring him to see Grimaldi, and request an answer from the King of Spain.

28th Oct.

Such was the position of the affair at the meeting of Parliament. Mr. Harris waited several times on Grimaldi, without obtaining a satisfactory answer; and at length was informed, that a dispatch was sent to Prince Maserano, empowering him to renew the treaty. The impression made on Mr. Harris's mind by this dispatch, which Grimaldi read to him, was, that the Spanish court appeared ready to agree to every thing required; the refusal to disavow the menace of Captain Hunt constituted the only difficulty*.

6th Nov.

But the conduct of Maserano did not justify these expectations†; and as little hope was entertained of a satisfactory adjustment, it was judged expedient to warn the British merchants at Cadiz, Alicant, and in other parts of Spain, of their danger, and to order all officers belonging to the garrison of Gibraltar to repair immediately to their post. After the recess, war was deemed inevitable, and Mr. Harris was ordered by the British government to withdraw from Madrid, though not without taking the usual leave.

21st Dec.
Mr. Harris
ordered to
leave Spain.Unwilling-
ness of
France to
make war

To this period Grimaldi acted consistently with the plan settled between him and De Choiseul; and, if the French minister had been able to carry into effect the projects he recommended, hostilities would have commenced without delay; but the French King, who had already experienced great difficulties in obtaining

* The dispatch containing this information was received the 19th of November, only three days before the Duke of Richmond's motion.

† See Lord Weymouth's Letters, 23rd and 28th November.

the sums requisite for the support of his dignity, and the pursuit of his pleasures, could not be induced to augment his inconveniences by entering into a war. The turbulence manifested by his subjects, on many occasions, formed a strong motive with him for avoiding a measure, which, by increasing their burthens, would give additional force to their dissatisfaction.

The King of Spain having held a grand council, at which an ultimate proposition was decided on, sent an account of its result to the King of France, inviting his co-operation, should war be inevitable; but the party who acted in conjunction with Madame du Barry, and who depended on her influence over the King for the promotion of their views, acquired a sufficient ascendancy to procure the dismissal of the Duc de Choiseul, and thus destroyed every hope which the King of Spain entertained of deriving assistance from France*.

In consequence of information imparted by Maserano of his having fresh proposals to make, Mr. Harris returned to Madrid, invested with the authorities of minister-plenipotentiary; and in a short time it was finally agreed, that Spain should restore to the King of Great Britain the possession of the Great Malouine, or Falkland's Island, in the same situation it was at the time when the garrison was expelled; but this restitution was not to affect any claim of right which His Catholic Majesty might have to the sovereignty of that territory. The King of Spain, in this declaration, explicitly disavowed the violent enterprize of Buccarelli†.

This unexpected termination of the dispute gave rise to various speculations. During the negotiation, Lord Weymouth resigned, which occasioned a report that he was dissatisfied with the want of vigour which prevailed in the cabinet, and retired because the ministry would not adopt his suggestions, which tended to an immediate declaration of war: but this

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Concession
of Spain.
22nd.

Conjectures
on the sub-
ject.

* From private information.

† See Journals and Debates for the papers referred to in the narrative: and see Dr. Johnson's Pamphlet, and the Annual Register for 1771.

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is absolutely unfounded, for the first measure of Lord Rochford was to recal Mr. Harris. It was also averred that a private extra-official negotiation was conducted between the cabinets of London and Versailles, and terms of accommodation treated of by means of a French agent; but this assertion is also erroneous*. The island, in consequence of this arrangement, was surrendered in the most honourable manner to the British forces; but as the nature and value of the possession were now thoroughly understood, it was in less than two years completely evacuated. This circumstance gave force to an insinuation long before made, that the abandonment of the possession was stipulated by secret articles; but this was not the fact; the British forces left their flag flying, and large sheets of lead fixed up, with engraved inscriptions, proclaiming to all nations that Falkland's Islands, with the storehouses and all appurtenances, were the sole right and property of the King of Great Britain. It is indeed true, that the intention of retaining this unimportant possession was renounced by Great Britain, and the Spanish minister was so apprized pending the negotiation; but there was no secret article on the subject; nor was the place ever surrendered to Spain.

Changes in
the ministry.12th Jan.
22nd.

23rd.

During this negotiation several changes took place, by which the ministry acquired additional strength. On the resignation of Lord Weymouth, the seals were given to Lord Rochford. Sir Edward Hawke, quitting his place of first lord of the Admiralty, was succeeded by the Earl of Sandwich; the Earl of Halifax, taking the office of secretary of state for the northern department, which became vacant by this removal, resigned his place of lord privy-seal to the Earl of Suffolk. Mr. Bathurst was created Baron Apsley, and appointed lord-chancellor; Sir William de Grey was made chief justice of the Common Pleas; Mr. Thurlow attorney-general, and Mr. Wedderburne solicitor-general and cofferer to the Queen. Several members of both

* See Governor Pownall's speech in the House of Commons, 13th February, 1771, and Chatham Correspondence, vol. iv. p. 76.

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houses, who were personally attached to the late Mr. Grenville*, and had been violent in opposition, now also joined the ministerial standard. These events gave great pain to the old leaders of the opposition, as they confirmed their apprehensions that their party did not possess that firm confidence in each other, and that union of sentiment, which alone can render an opposition formidable, or even respectable. Lord Chatham was always loud in his complaints of his associates, his antagonists, and the times; forgetting, or perhaps not perceiving, that his own manner and temper rendered it impossible for his best friends always to follow his course, or to concur in many of his propositions. The defection of Mr. Wedderburne was particularly resented. He had gained the confidence of the party by his strenuous exertions and manly conduct on the question respecting the Middlesex election: the consequence was, that on the reproaches made to him by Sir Lawrence Dundas, through whom he had been returned, he resigned his seat for Richmond in Yorkshire. This act of over-delicacy was rewarded by Lord Clive, who gave him a seat for Bishop's Castle. In other discussions, during the present session, he had displayed great vigour on the popular side; and approbation of his conduct, reliance on his attachment, and an earnest wish for his promotion, were frequently expressed by the great leaders. He now pronounced his conduct deplorable, and Lord Clive was full of indignation on the subject†.

In Parliament, the arrangements with Spain occasioned vehement debates. The negotiation was adjusted only a few hours before the meeting after the recess. Ministers informed both houses of the event, and laid before them Maserano's declaration and Lord Rochford's acceptance. The Duke of Manchester moved for papers explaining the course taken in concluding the treaty. Lord Rochford proposed a slight amendment; but, as imputations against his motives were

Jan. 25.
Proceedings
on the Spanish
dispute.

Motion by
the Duke of
Manchester.

* He died 13th November, 1770.

† Chatham Correspondence, 'vol. iii. pp. 357, 475; vol. iv. pp. 1, 3, 77, 81.

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Motion by
the Duke of
Richmond.

made by the Duke of Richmond and Lord Chatham, he withdrew it, and the original motion passed.

The Duke of Richmond then, alleging that the world had strange suspicions that France had too much to do in this transaction, moved, in order to clear the matter, that there should be laid before the house copies of all papers which had passed between our ministers and those of the French King respecting the seizing the island and the subsequent negotiation.

Lord Rochford said he had agreed to produce the other papers because they existed; but these could not be produced, for they were not in being. The Duke replied, that the nation ought not to be satisfied with the word of any minister. Let the motion pass, and then they should have the King's word for it, which every one must believe. Lord Chatham advanced the same kind of argument; but the motion was negatived.

House of
Commons.

In the House of Commons, Mr. Dowdeswell made a motion similar to that of the Duke of Manchester, affirming, in support of it, that the convention was not only inadequate, but highly unsafe and disgraceful. It neither provided reparation for former, nor security against future, hostilities. One of the phrases in the motion appearing to imply that the rights of the subject, as well as the honour of the crown, had been deeply affected, Lord North proposed an amendment, by which "was" should be substituted for "were." This was not acceded to until after a debate, in which much asperity was displayed.

Mr. Dyson having made a few observations, Colonel Barré compared him to a smoke-ball, which is used to blind the enemy and conceal those by whom it is used. He denounced the vengeance of the nation against those wicked ministers who had so wantonly destroyed its honour and dignity. The Spanish declaration was scandalous and infamous, and he threatened the ministers with the loss of their heads, for making a convention which stabbed the honour of the country to the heart. The enemy knew the weakness and cowardly disposition of the ministers, who durst

not go to war for fear of losing their places; there was not a petty prince in Europe who did not laugh at and despise them, nor an honest man in England who did not abhor them. He crowned this specimen of boisterous ribaldry by asserting, that, while the nation was exposed to insults abroad, it was left a prey to robbers and sharpers at home. "A French secretary," he said, "being in your secrets, has made nearly half a million by gambling in your funds, and some of the highest amongst yourselves have been deeply concerned in the same scandalous traffic."

In a happier vein, Mr. Burke, after a slight skirmish with Mr. Fox, who had made a few observations in favour of government, ironically owned that the satisfaction from the Spaniards was the most adequate to the injury with respect to the crown. They had taken a barren desolate rock, and had restored a barren desolate rock; but what satisfaction had the people received for all the treasure that had been expended? This declaration was the joint production of three kings, two plenipotentiaries, five secretaries of state, one first lord of the treasury, two first lords of the Admiralty, two lords privy seal, two hundred messengers, forty thousand seamen, thirty thousand landmen, forty sail of the line, and three millions of money. The land-tax had been prematurely voted, the trade of the country greatly distressed and injured, and for what? To procure the scandalous, base, and dishonourable declaration upon the table. It put him in mind of Birmingham buttons, which passed through a hundred hands, and, after all, were worth only three-pence a dozen.

The house was not much charmed with this rhetoric: on the contrary, the members interrupted Mr. Burke, by going out, coming in, and talking, until, in great anger, he adopted Colonel Barré's style, and exclaimed that blood must atone for the misconduct of those who had transacted this dark affair: their lives must make atonement to this injured nation.

Mr. Dowdeswell agreed to Lord North's amendment, and the address was voted.

Although so little success had attended the efforts

Further
efforts.

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Feb. 5.
Lord
Chatham.

13th.
Address on
the papers.

14th.
House of
Lords.

Mar. 5.
Governor
Pownall's
motion.

Dispute
between the
two Houses.
10th Dec.
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hitherto made, and although it was evident that the public at large took no interest in the matter, the question of the Falkland's Islands was not yet permitted to rest in peace. Lord Chatham proposed two questions in law; but the house would not accede to his motion for leaving them to the Judges. On the production of the papers, Lord Beauchamp moved, and Lord Palmerstone seconded, an address of thanks. Mr. Dowdeswell complained that he was discourteously treated, because, as he had required the papers, the address on them ought to have been moved by him. He proposed, as an amendment, thirteen resolutions derived from them. After a debate, in which no novelty was produced, the address was carried in its original form*.

In the House of Lords, the address was moved by the Duke of Newcastle; the Duke of Manchester proposed an amendment, which was rejected†. Eighteen dissentient peers signed a protest, and one was subscribed by Lord Radnor alone.

Another attempt was made, by Governor Pownall, to gain from the house a declaration that ministers, having neglected to demand an explanation of the oath of office taken by the Spanish governors in America, and some other particulars, His Majesty's dominions, in that quarter remained exposed to be disturbed by those governors, under colour of their oaths of office and other pretences. The speech by which the motion was introduced was learned and elaborate; but to its general effect ministers declined giving any answer: and probably the honourable mover was more mortified and surprised at their forbearance than at the result of his motion, which was negatived by a large majority‡.

An incident which occurred before the recess occasioned an animosity between the two Houses, which continued during the remainder of the session. The Duke of Manchester made a motion for an address for accelerating the preparations for war, and putting our

* 271 to 137.

† 107 to 38.

‡ 130 to 43.

West India possessions, and Gibraltar, in a proper state of defence. He was proceeding to descant on the insecure condition of that fortress, and reflecting on the criminal negligence of ministers, when he was suddenly interrupted, and a motion made to clear the house. The reasons for this measure were founded on the impropriety of suffering a proposition, of which no previous notice had been given, to be discussed in the presence of strangers, when the objects of it were such as to disclose the nakedness and weakness of the nation. Lord Chatham and the Duke of Richmond resisted; but a violent clamour of "clear the house" prevented them from obtaining a hearing. Being highly irritated, they, with their friends, in number about eighteen, retired in a body, alleging the folly and idleness of attending there, when they were denied the privilege of lords of parliament, and not permitted the exercise of free debate. Immediately afterward, several members of the lower house, who attended with a bill, were ordered to depart. In vain they represented that the performance of their duty obliged them to remain; they were compelled to retire till their message was delivered, then re-admitted with their bill, and as soon as that ceremony was performed, ordered again to withdraw. Inflamed with indignation, they returned to their own house, and made an angry representation of the transaction; the seceding lords were present, hearing the debates; and the first effort of resentment in the Commons was inconsiderately directed against them. The standing order was read; and although the suggestion was opposed by a majority, they were obliged to quit the house. Sixteen peers entered a protest on the journals, and several ineffectual motions were made in the lower house to procure an inquiry and discussion; but the only result was a sullen hostility between the two Houses. The Lords gave strict orders that no strangers should for the future be admitted, except commoners who attended to present bills, and they were to depart when they had made the usual obeisance. The Commons,

11th Dec.

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printers.
13th June,
1770.2nd June,
1770.19th June,
1770.27th June,
1770.

in the course of the session, abated the rigour of exclusion; but the Lords remained inflexible*.

Junius's Letters had been republished by many booksellers, proprietors of periodical works, and several of them were prosecuted on informations filed *ex officio* by the attorney-general. Woodfall was tried for printing one in the Public Advertiser, and Almon was tried for republishing the same letter in a monthly miscellany called the London Museum. Almon's case came first under investigation, and the jury found him *guilty of publishing*. The verdict against Woodfall was, *guilty of printing and publishing only*. Almon's counsel moved for a new trial, on the ground of the evidence being insufficient to prove any *criminal intention*, or even any *knowledge* of the London Museum being sold at his shop. Affidavits were exhibited to prove that the compilation was the property of another bookseller named Miller; sent to Almon's shop without his privity; sold by his servant without consulting him; and that, immediately on discovering the fact, he had prevented the further sale. One of the jury also tendered an affidavit of his having joined in the verdict under the influence of mistake, as he had incorrectly conceived a point of law; but this affidavit was, of course, refused by the court. It appeared from the report of the trial, read by Lord Mansfield, that, in giving his charge to the jury, he said there was evidence of the publication if they believed the witness; and directed them, if they were not satisfied that the blanks in the information were filled up according to the true sense and meaning of the writer, to acquit the defendant: the epithets false, scandalous, and malicious, used in the information, were inferences of law, drawn from the paper itself; and not facts to be proved. After the case had been ably argued by counsel, and time taken by the court to consider, they gave an

* Debates, Journals; Annual Register, 1771, p. 37. The acrimonious personalities so frequent in these debates gave rise to a duel between Lord George Germaine and Governor Johnstone; two pistols were discharged on each side, and Lord George was slightly wounded in the hand.—Chatham Correspondence, vol. iv. p. 51.

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1770.

3rd July and
20th Nov.
1770.

unanimous opinion, that none of the matters urged on behalf of the defendant, nor all of them added together, were reasons for granting a new trial. In Woodfall's case, two motions were made: the first by the defendant to stay the entering up of judgment on the verdict; the other by the attorney-general, for entering a verdict according to the legal import of the finding of the jury. This latter motion was first discussed, and Lord Mansfield, in reporting the proceedings, stated his directions to the jury in these terms: "To consider whether all the inuendos, and all the applications to matter and persons made by the information, were, in their judgment, the true meaning of the paper? If they thought otherwise, to acquit the defendant; but if they agreed with the information, and believed the evidence as to the publication, they should find him guilty. Whether the paper was in law a libel, was a question of law upon the face of the record; for after conviction a defendant might move in arrest of judgment, if the paper was not a libel: the epithets in the information were formal inferences of law from printing and publishing; no proof of express malice was ever required, and it is in most cases impossible to be given. Where an act, in itself indifferent, if done with particular intent, becomes criminal, there the intent must be proved and found; but where the act is in itself unlawful, as in this case, the proof of justification lies on the defendant; and in failure thereof, the law implies a criminal intent." The Court agreed in this opinion, but, from the ambiguous use of the word *only* in the verdict, ordered a new trial*.

These transactions occasioned debates in both Houses of Parliament. Captain Constantine Phipps began the subject, by moving for leave to bring in a bill to explain, amend, and render more effectual the statute† for preventing malicious informations in the

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Nov. 27.
Captain
Phipps's
motion.

* See Burrows' Reports, vol. v. 2661, 2086; Reports of these trials in separate pamphlets, and the periodical publications; Letters to Mr. Almon in matter of libel; and Robert Morris's Letter to Sir William Aston.

† 4 and 5 William and Mary, c. 18.

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Court of King's Bench. This act applied only to criminal informations filed by one subject against another, which was only to be done by leave of the court upon a special motion, still reserving to the Crown its ancient and indisputable right of filing them at once by the attorney-general.

This power the honourable mover declared to be contrary to the spirit of the constitution, and to the spirit of liberty. The argument against the propriety of retaining such a power was short and obvious. The general scope of a very long debate was to shew by legal precedents and by reasonings drawn from propriety and necessity, while the application of the precedents and the force of the reasonings were strongly denied on the other side. In such a debate, considerable efforts were necessarily made by members of the legal profession. In support of the motion, and against the power of the Crown, Serjeant Glynn, Mr. Dunning, and Mr. Wedderburne; and on the other side, the attorney and solicitor-general (De Grey and Thurlow), and Mr. Wallace, made able and learned speeches. The principal non-professional members who spoke, were, Mr. Herbert Mackworth, who had been one of the special jury in Almon's case, Mr. Burke, and Mr. Thomas Townshend. Their arguments were at once an exposition of what the law was, and what it ought to be; with references to the prevalent dissatisfaction on the subject, and severe reflections on the conduct and opinions of Lord Mansfield. They were answered by Mr. Welbore Ellis, Lord Frederick Campbell, and Lord North, and the motion was rejected*. The debate lasted many hours; but, although many of the speeches had great merit, they were too technical, personal, and desultory, to retain any interest.

Dec. 5th.
Discussion
of Lord
Mansfield's
doctrine in

In the Upper House, Lord Chatham took occasion to digress from a business in agitation, a motion of his own respecting the Middlesex election, for the purpose of expressing his sentiments on the modern manner of

* 164 to 72.

directing juries from the bench. Lord Mansfield candidly and explicitly avowed the practice, shewing it to be founded on reason and ancient usage, and ascribed the censures pronounced against him to be founded on ignorance, and produced only to gain popularity by inflaming prejudice. He repeated his opinion, "That a libel or not a libel, was a matter of law to be decided by the bench, and the question to be left to the jury, was only the fact of printing and publishing." Lord Chatham and Lord Camden both expressed astonishment and abhorrence at this doctrine; but the House returned to the more immediate object of discussion.

Perhaps this debate, irregularly introduced, was principally designed to extract from the lord chief-justice a clear and irrevocable avowal of his judgment, in order to afford the better foundation to a motion which Serjeant Glynn, with the knowledge and assent of his party, had then in contemplation to make, and of which within a few days he had given notice. It was for the appointment of a committee to inquire into the administration of criminal justice, and the proceedings of the judges in Westminster Hall, particularly in cases relating to the liberty of the press, and the constitutional power and duty of juries. This motion was supported by all the talents of opposition; and no argument or mode of expression omitted which would inflame the public mind, or cast disgrace on the character of Lord Mansfield. Serjeant Glynn affirmed, that a general belief prevailed of the judges being unfriendly to juries, encroaching on their constitutional power, and laying down false law in order to mislead them in their verdicts. A great display of legal knowledge was made by the serjeant and Mr. Dunning in supporting the motion; they were combated by the attorney-general and Sir Gilbert Elliot; and Lord Mansfield's character was strenuously and honourably defended by Lord Clare and Mr. Jenkinson. The conduct of Wedderburne and Burke was highly honourable; for, while they supported the motion, they disclaimed and reprobated all those

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Glynn's
motion.
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asperities of diction which had been used in speaking of the lord chief-justice, and paid the merited tribute of applause to his extraordinary talents and conspicuous integrity.

Besides the argument upon law, and the discussion of ancient decisions, it was maintained, that if, even upon that ground, the conduct of Lord Mansfield had been justified, the inquiry ought to proceed; it was demanded by the extreme anxiety, the general dissatisfaction, which were felt and expressed in all quarters. To this it was answered, that the judges of the present day, whose conduct was so much vituperated, were equal for knowledge of law and for purity of intention to any that had preceded them. To their extensive knowledge and inflexible virtue was to be attributed all the clamour which had been raised against them. Had they wrested the laws to favour the ring-leaders of faction and the promoters of sedition, each of them would have been a Coke, a Holt, and a second Daniel; but having, like honest men, acted conscientiously, and supported the laws in opposition to the giddy violence and licentious fury of the times, no epithets were too hard for them. One was called "the supple Page," another "the corrupt Tresilian," and a third was christened "the bloody Jefferies." The judges having been fully vindicated, there remained no ground for inquiry. Should the house grant one, it would become truly ridiculous and contemptible; they would be supposed destitute of all honour and integrity. The press would teem with abusive epigrams, satires, and lampoons. Grub Street would pour forth its thousands of songs and ballads, and Paternoster Row its tens of thousands of pamphlets and newspapers. To prevent the anarchy and confusion which would follow the inquiry, the house should reject the motion with deserved contempt.

Mr. Fox.

Such were the sentiments of Sir Gilbert Elliot; nor was Mr. Fox less severe or less pointed. "We are told," he said, "by the abettors of this motion, that 'jealousies, murmurs, and discontents, increase and

“ multiply throughout the nation ; that the people are
 “ under terrible apprehensions that the law is per-
 “ verted, that juries are deprived of their constitutional
 “ powers, that the courts of justice are not sound and
 “ untainted ; in a word, that the judges have, like a
 “ dozen of monstrous Patagonian giants, either swal-
 “ lowed, or are about to swallow, up both the law and
 “ the gospel. In proof of all this, they refer us to
 “ their own libellous remonstrances, and to those in-
 “ famous lampoons and satires which they have taken
 “ care to write and circulate. For my part, I am not
 “ disposed to take the voice of a miserable faction for
 “ the voice of my country. If the people are really
 “ dissatisfied, how is that to be ascertained ? In no
 “ way but that of consulting this house. Here the
 “ people are represented ; here is their voice expressed ;
 “ there is no other criterion, but the majority of this
 “ assembly, by which we can judge of their sentiments.
 “ If we are not to judge for ourselves,” he proceeded,
 “ but to be ever at the command of the vulgar, and
 “ their capricious shouts and hisses, I cannot see what
 “ advantage the nation will reap from a representative
 “ body, more than from a tumultuous assembly of
 “ themselves, collected at random, on Salisbury Plain
 “ or Runnymede.”

The motion was lost by a large majority*.

Lord Mansfield, now considering it necessary to place his sentiments in so clear a view that they should no longer be subject to misrepresentation, demanded a call of the house. As he did not state precisely what were his motives, great expectations were entertained of his intending voluntarily to defend his own conduct, and explain the grounds and authorities which served as a basis for his opinion. But he had no such intention, nor was it requisite, or even prudent, for him to undertake the task : he delivered to the clerk of the house, for the information of the members, a

Lord Mans-
field leaves a
paper with
the clerk of
the House
of Lords.
7th Dec.

11th.

* 184 to 76. It is to be observed, that this debate took place before the changes in the ministry already noticed.

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12th.

6th Mar.
1771.Disfranchisement
of electors
of New
Shoreham.

copy of the unanimous opinion of the court of King's Bench in Woodfall's case ; a paper drawn with great precision, and containing in small compass the merits and the law. Lord Camden inquired if this paper was to be entered on the journals ; but, being answered in the negative, on the following day attempted to renew the discussion. He considered the paper as a direct challenge to him, and proposed six interrogatories, which the chief-justice, very properly, declined answering. After some ineffectual endeavours to engage Lord Mansfield in a discussion of the question, it was left for the decision of the courts of law : a motion afterward made in the Lower House, for leave to bring in a bill to ascertain the powers of juries in case of libels, was over-ruled*.

One of the most extraordinary subjects which for a long time had occupied the attention of parliament, presented itself this session. A petition was lodged against Hugh Roberts, the returning officer of New Shoreham, for returning a candidate with only thirty-seven votes, in prejudice of another who had eighty-seven, although he had queried seventy-six of the number. In his defence, the officer disclosed a shocking and disgusting scene of venality, perjury, and hypocrisy. A majority of the freemen formed themselves into an association, denominated the *Christian Club* : the pretended motives of their confederacy were piety and charity ; the real purpose, corruption. They made a traffic of their oaths and consciences, offered the borough for sale to the highest bidder, and utterly precluded the other freemen from any beneficial exercise of their franchise. They were bound to secrecy and to each other by oaths, writings, and bonds, with large penalties ; they carried on their negotiations by means of a select committee, who, under pretence of scruples of conscience, never voted at elections themselves ; but, having sold the borough, and re-

* 218 to 72. The motion was made by Mr. Dowdeswell ; and a draft of the intended bill, forming the basis of one afterward introduced by Mr. Fox, may be seen in Rivington's Annual Register for 1791, p. 138.

ceived the stipulated price, directed the suffrages of the rest, relying on this complicated effort of fraud to prevent detection, and safely enjoy the fruits of their dishonesty. At a late vacancy, occasioned by the death of Sir Stephen Cornish, five candidates appeared for the borough, and a committee of five was appointed by the club to treat for the sale. General Smith, one of the candidates, offered three thousand pounds, and to build at Shoreham six hundred tons of shipping. Mr. Rumbold offered thirty-five pounds a man to all the freemen; his proposal was accepted; but his agent was directed not to notice voters who were not of the club. The returning officer, who had been a member, and was well acquainted with their measures, having taken umbrage at some of their proceedings, determined to thwart and oppose them. He therefore obtained the opinion of counsel; and, although the majority of voters took the oaths against bribery and corruption, he considered them disqualified, and made his return accordingly. As the select committee appointed under Mr. Grenville's act could not take proper cognizance of these flagitious transactions, they reported them to the house, and Roberts was ordered to attend at the bar. His defence not appearing sufficient entirely to exculpate him, although his conduct was acknowledged to be founded on proper principles; he was reprimanded by the speaker, and discharged. The circumstances thus disclosed were afterward taken into consideration, evidence examined, and a bill brought in, by which, after several alterations, amendments, and debates, eighty-one freemen of Shoreham, named in the bill, were disfranchised, and rendered incapable of voting for members of parliament; and the right of electing representatives for that borough was extended to all the freeholders in the Rape of Bramber, in the county of Sussex, who had tenements of the annual value of forty shillings. This measure was by some considered too lenient, and proposals made utterly to disfranchise the borough; but the precedent was thought dangerous; others, on the contrary, were de-

7th Feb.

18th.

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1770.

Nullum Tem-
pus Act.Rights of
electors.
7th Feb.Motions
arising out of
the Middle-
sex election.
Dec. 5.

sirous to limit the punishment to the operations of law on the guilty individuals; but this was rejected, as affording, from the difficulty of obtaining legal evidence, a prospect of certain immunity*.

In the course of the session, several attempts were made by the opposition to introduce popular laws, and raise popular questions. A bill was brought into the House of Commons for repealing a clause in the Nullum Tempus Act; it was read twice, but lost on the third reading by an inconsiderable majority†. Sir George Savile moved for leave to bring in a bill for more effectually securing the rights of electors. He referred to the decisions on the Middlesex election, which he termed unconstitutional; he did not wish for any retrospect; but only a law which should prevent the recurrence. His motion was supported by Mr. Wedderburne, Lord John Cavendish, and Serjeant Glynn; and ably resisted by Mr. Fox, Mr. George Onslow, and the Attorney-General.

The debate already alluded to, in which Lord Chat- ham digressed into an attack on Lord Mansfield's judgment on the late libel cases, was on a motion of his own, that "the capacity to be chosen a representative of the Commons in parliament, being an original, inherant right of the subject, might be cognizable in a court of law, and was a matter wherein the jurisdiction of that house, although exempt from appeal as to the seat of their member, was not final and conclusive." He asserted that, by seating Colonel Luttrell and incapacitating Mr. Wilkes, the Lower House had infringed the rights of the electors, and that an action at law would lie against them. He considered the Middlesex election as the alarm-bell of liberty, and should ring it incessantly in the ears of the whole kingdom, until he roused the people to a proper sense of their injuries, and convinced ministers, intrenched as they were in their venal majorities, that the privi-

* Debates; Annual Register, 1771, p. 54; History of the Boroughs, &c. of Great Britain, vol. iii. p. 52; article Shoreham.

† 164 to 155.

leges of Englishmen were never to be infringed with impunity.

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XVIII.

1770.

To refute such arguments was not a matter of much difficulty. Lord Mansfield treated the original question and the interpolated matter with convincing force and perspicuity. After noticing specifically all the statements made against him, he said, "I have ever made it the rule of my conduct to do what was just; and, conscious of my own integrity, am able to look with contempt on libels and libellers. Before the noble lord arraigns my judicial character, he should make himself acquainted with facts. The scurrility of a newspaper may be good information for a coffee-house politician, but a Peer of Parliament should always speak from higher authority; though if any nobleman is no more acquainted with the principles of law on the present point, than where he told us that an action would lie against the House of Commons for expelling Mr. Wilkes, I am fearful the highest authorities will not extend his ideas of jurisprudence, nor entitle him to a patient hearing on a legal question in this assembly."

Lord Camden endeavoured to shield his illustrious friend. "The noble Lord," he said, "triumphs without a victory. Will he venture to say that the electors of Middlesex have not been grossly, dangerously injured? Will he venture to say, that, being injured, they have not a legal claim to redress; a legal title to compensation? He cannot deny their claim, unless he places the simple resolution of the other house entirely above the established law of the land, and tells us that the lowest estate of parliament is constitutionally warranted to annihilate the constitution."

Several other speeches were made, but the house gladly adopted a motion of adjournment.

The Duke of Richmond moved the House of Lords to reverse its resolutions of not impeaching, directly or indirectly, the judgment of the House of Commons on the Middlesex election. Lord Chatham

27th Feb.

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XVIII.

1770.
30th April.
1st May.

moved for an address, praying the King to dissolve the parliament; and Alderman Sawbridge, in the Lower House, made a motion to shorten the duration of parliaments. All these efforts were unsuccessful; but Alderman Sawbridge renewed his motion in every session till his death.

CHAPTER THE NINETEENTH.

1771—1772.

Dispute between the House of Commons and the city.—Publication of debates.—Colonel Onslow's complaint of a breach of privilege.—Printers ordered to attend at the bar—their contumacy—order for taking them into custody—proclamation—they are arrested and discharged.—Complaint against other printers—their conduct.—Conduct of the minority.—The messenger arrested—carried before the lord mayor—and holden to bail.—Proceedings in the House of Commons.—Alderman Oliver and the lord mayor committed to the Tower.—Zeal of the populace.—Proceedings of the Common Council.—Address of Wilkes in eluding the resentment of Parliament.—Committee appointed—their report.—Debates on the Durham Yard Bill.—End of the session.—City petition.—The King's answer.—Divisions in the City party.—Death of the Earl of Halifax—and consequent changes in administration.—Meeting of parliament.—Augmentation of naval establishment.—Petition for relief from subscription to the articles of religion—motion to bring it in rejected.—Church Nullum Tempus.—Dr. Nowell's sermon on King Charles's martyrdom—debates on expunging the vote of thanks to him.—Motion for abrogating the observance of the thirtieth of January.—Efforts of the Dissenters.—Motion to repeal the test laws.—Bill passes the Lower House—but is rejected by the Lords.—Marriage of the King's brothers.—The King's message to Parliament. Royal marriage bill—passes the Lords—protest—passes the Commons.—Close of the session.—Strength of the administration.—Misfortunes in the royal family.—Death of the Princess Dowager of Wales.—Revolution in Denmark.

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1771.

Dispute between the House of Commons and the city. Mode of publishing debates.

THE disposition to oppose the proceedings of the legislature, which had long distinguished the city of London, produced a contest between the House of Commons and the lord-mayor, which is curious in its progress, and memorable from the result.

Notwithstanding the known law and privilege of parliament, the printers of certain newspapers were in the habit of detailing the debates of both Houses. These communications were highly gratifying to the public, and the success of a newspaper was principally dependent on the reports of parliamentary proceedings. But as all these papers were devoted to the purposes of party, little care was taken to impart a just detail of the speeches, and they were frequently misrepresented in a manner which could hardly be considered accidental. The only effectual remedy for this grievance was a general enforcement of the senatorial privilege: for if the House admitted the right of the printers to report correctly, and left to individuals the task of appealing to the courts of law against false statements, the proceeding would have been found uncertain, dangerous, and interminable. The other mode had been frequently followed; the printers were summoned to the bar, and fined or reprimanded according to the nature of their demerits.

9th Feb.
Colonel
Onslow's
complaint
of a breach
of privilege.

In this session, Colonel George Onslow made a complaint to the House, of Thompson, publisher of the *Gazatteer*, and Wheble, of the *Middlesex Journal*, for misrepresenting the speeches, and reflecting on several of the members; and, the obnoxious passages having been read by the clerk, moved that the printers should be brought to justice, for infringing the standing order. This practice, it was observed, had attained an infamous height; members were represented to the world as uttering sentiments they never pronounced; and thus were their characters often degraded in the opinion of their constituents. In former times, even during the most violent opposition to Sir Robert Walpole, no transactions or speeches were published, except in the intervals of parliament, and then only in a decent manner: and it was now absolutely neces-

sary either to punish the offenders severely, or repeal the standing orders.

The motion was combated by an assertion that the ministerial papers were no less abusive than those devoted to the opposition; it was argued, that the imparting to constituents the parliamentary behaviour of their representatives, was founded on the truest principles of the constitution, and the misrepresentations ought to be punished legally, on complaint from the individual affected, and not by the hand of power and weight of the legislature, whose exercise of authority is always odious and oppressive; but it was carried*, and the printers ordered to attend at the bar.

The execution of this order was adjourned several times; and when the House demanded the appearance of the printers, it was discovered that their last order of adjournment had not been served. Another excuse of the same kind was admitted; but the parties still remaining in a state of contumacy, the serjeant at arms was directed to take them into custody. This order was not obtained without a violent debate: the number of the minority was inconsiderable†, but the arguments used in the House, and the time which elapsed from the first agitation of the business, occasioned many discussions both in conversation and in print, and enabled the party in the city who were desirous of opposing government to concert a plan of operations.

When the serjeant at arms went to the houses of the printers, they were denied, and the servants accompanied their answers with contemptuous sneers; which being reported to the House, Mr. Onslow moved for an address to the King, to issue a proclamation, with a reward to any person who should apprehend the offenders. In consequence of this proclamation, Mr. Wheble was taken by one Carpenter, a printer, and carried before Alderman Wilkes, who not only discharged him, but took recognizances for prosecuting the person by whom he was apprehended. Mr. Wilkes

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1771.

Printers
ordered to
attend at
the bar.

Their con-
tumacy
19th.
21st.
25th.
Order for
taking them
in custody.

Proclama-
tion for ap-
prehending
them.
4th March.

* 90 to 55.

† 17 to 160.

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1771.
15th.
They are
arrested and
discharged.

wrote in justification of his conduct to the Earl of Halifax, secretary of state, observing that the proclamation did not charge Mr. Wheble with any crime; and by taking him into custody, the rights of an Englishman, as well as the chartered privileges of the city, were grossly violated. Mr. Thompon, another printer, was similarly arrested, and discharged by Alderman Oliver. Both aldermen gave certificates to the persons who apprehended Wheble and Thompson, testifying that they had brought before them the individuals indicated in the proclamation, and were entitled to the reward; but the collusion was so palpable that the Lords of the Treasury refused payment*.

Complaints
against other
printers.
12th March.

As it was, before this period, apparent, from the conduct of Thompson and Wheble, that they would escape the intended punishment, Colonel Onslow preferred a fresh complaint against six other printers for the same offence; and, after a considerable opposition, they were ordered to appear at the bar. Four presented themselves, of whom three were reprimanded and discharged†; the case of one was adjourned‡; a fifth could not attend, being in custody in Newgate by order of the House of Lords§; the other, whose name was Miller, refused to obey the summons, and, on the motion of Mr. Onslow, an order was issued for taking him into custody by the serjeant at arms.

14th.
Their con-
duct.

Contumacy
of Miller.

Conduct of
the minority.

In these transactions the minority showed a determined spirit of opposition, and professed a resolution to harass the House by frequent motions of adjournment and amendment; on the first debate they made three-and-twenty divisions; on the last, thirteen. This proceeding gave additional courage to their adherents in the city, and accordingly on the next day the finesse

* Mr. Dowdeswell attempted to interest the House of Commons in Carpenter's behalf, and received the following humorous answer from Wedderburne: "As to the affair of Mr. Twyne Carpenter, I can see no reason for supporting him: as I understand it, the man is Mr. Wheble's devil. Wheble was arrested by his own devil; he was discharged from the illegal arrest of this devil; the devil was bound over to answer; whether printer beats devil, or devil beats printer, is of no consequence; there may be the devil to do; there will be the devil to pay; if the devil has had the reward that was advertised, the devil has fairly outwitted the noble lord near me: whether he has or not, I do not know, but I hope this House will have nothing to do with him."

† Baldwin, Wright, and Bladon.

‡ Evans.

§ W. Woodfall.

of arresting Thompson and Wheble took place. The order for taking Mr. Miller into custody, being previously made, could not be prevented; but a plan was laid for resisting the effect of the warrant, and disgracing the officers of the House of Commons. When the messenger appeared, Miller refused to submit to the arrest, and violence being used, a constable, prepared for the purpose, took charge of the officer, and carried him to Guildhall, to answer for the assault. Mr. Wilkes, the sitting alderman, having finished the business of the day, refused to take cognizance of the affair, and the parties were conducted to the Mansion-house. The lord mayor, Brass Crosby, being indisposed, deferred the business till six o'clock in the evening*, in which interval, the messenger sent for Mr. Clementson, deputy serjeant at arms. At six o'clock the lord mayor, attended by Aldermen Wilkes and Oliver, admitted the parties; Mr. Miller made his complaint, and the lord mayor asked the messenger what offence the printer had committed, and by what authority he presumed to assault him? The officer said he acted under the direction of the Speaker, and produced his warrant. The deputy serjeant, who waited to hear what were the circumstances alleged as an assault, now announced himself, and said he came there by the Speaker's command, to demand, not only the messenger, but Miller his prisoner; and he demanded them in a solemn manner. After some observations on the impropriety of arresting a citizen by any person who was neither peace-officer nor constable, and on the violation of the charters by a caption, made without the knowledge or authority of the lord mayor, Mr. Clementson's application was refused, and Mr. Miller discharged. The assault was next proved, which consisted in taking Miller by the arm, in order to bring him before the House of Commons. The messenger, by Mr. Clementson's direction, refused to give bail to answer this complaint, and a warrant for committing him to the compter was signed by the lord mayor and the two

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1771.

The messenger arrested.

Carried
before the
lord mayor;

* It was about three when they came to the Mansion-house.

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1771.
and holden
to bail.
Proceedings
in the
House of
Commons.

19th and
20th.

25th.
Act of the
Lord Mayor
declared
breaches of
privilege.

Oliver.

aldermen; but when the matter had proceeded to this extremity, and the officers were ready to take away the messenger, bail was given.

The deputy serjeant at arms immediately related these transactions, which were received with great indignation by the House. Orders were issued for the Lord Mayor and Alderman Oliver to attend in their places, and Mr. Wilkes at the bar. The Lord Mayor, in his defence, alleged that his oath as an alderman of London obliged him to defend the charters of the city, which he produced; he referred also to the act of parliament, and required to be heard by counsel. This proposition was strongly enforced by Alderman Trecothick, Sir Joseph Mawbey, and others, but rejected*, though an order was afterward made that he might be heard by counsel on all points which did not controvert the privileges of the House: the Lord Mayor's clerk was also directed to attend with the book of minutes, and the recognizance entered into for the messenger's appearance was erased.

After some delays, occasioned by Crosby's illness, he went to the House, in company with Alderman Oliver. A vast mob assembled before the Mansion-house, and they were similarly attended during their whole progress. The Lord Mayor was heard in his own defence, having refused the indulgence of counsel, on account of the limitation with which it was conceded, and of the absence of all those of whose assistance he was particularly desirous. The evidence being concluded, the House, after a debate which lasted till near one o'clock in the morning, resolved, "That to release a person taken by virtue of the Speaker's warrant; to apprehend the messenger of the House for executing his warrant; and to hold the messenger to bail for such pretended assault, were all breaches of privilege."

It was then proposed to proceed against Mr. Oliver. A motion of adjournment was made on account of the lateness of the hour, but negatived†. The alderman,

* 202 to 79.

† 214 to 69.

being called on for his defence, said, "he owned and gloried in the fact laid to his charge; he knew that whatever punishment was intended, nothing he could say would avert it; as for himself he was perfectly unconcerned; and, as he expected little from their justice, he defied their power." A motion being made for committing him to the Tower, Colonel Barré, after a violent and indignant speech, quitted the House, attended by about twenty-five or thirty members. As an amendment, it was moved, to place the delinquent members in custody of the serjeant at arms; which probably would have passed, had not Mr. Oliver pertinaciously refused making the slightest concession*.

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1771.

When the Lord Mayor again attended the House, 27th. all the avenues were beset by a clamorous and outrageous mob, who insulted the ministerial members, particularly Lord North and Mr. Fox†; and, defying the civil power, would probably have proceeded to greater outrages, had they not been tranquillized by some of those whom they deemed their friends. Several of the opposition party refused to appear in the House, and Sir George Savile and Mr. Burke retired before the debate; saying "they considered the refusal to hear the Lord Mayor by counsel, as a prohibition of justice." In consideration of his ill health, it was moved that Mr. Crosby should be taken into custody by the serjeant at arms; but he disdained the intended lenity. He said he knew that he had been prejudged on the former day, and that the string of resolutions and warrants was then in the pocket of Mr. Welbore Ellis. His health was considerably amended; he had no favour to ask of the House; no mercy to crave from the treasury bench; and, in justice to his honourable friend, he ought to be sent to the Tower; he thought he had acted rightly, and on a similar occasion would adopt the same mode of conduct. An amendment was then moved, and, after a

And the
Lord Mayor
committed
to the
Tower.

* The question for his commitment was carried, 170 to 38.

† Chatham Correspondence, vol. iv. p. 140.

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Zeal of the
populace.April.
1st and 5th

debate which lasted till near midnight, he was committed to the Tower*.

The mob, considering the chief magistrate of the city as a martyr in the cause of freedom, took the horses from his carriage, and drew it to Temple Bar, where they shut the city gates, and insisted on the deputy serjeant at arms quitting the coach, and proceeding no further: the Lord Mayor was obliged to interpose, and quiet them, by an assurance that the gentlemen by whom he was accompanied were his particular friends, and were escorting him home†. At the Mansion-house, the populace retired, and on the following morning Mr. Crosby went privately to the Tower. A few days afterward, the populace showed their indignation by hanging, beheading, and burning, on Tower Hill, with many ignominious circumstances effigies representing persons of high rank who were inimical to their favourites.

Every effort was made, both in the metropolis and the country, to give celebrity to the cause of the Lord Mayor, and to produce displays of sympathy and regard. While their noble and illustrious compeers were sustaining daily insults from the populace, the greatest nobles and most distinguished commoners of the opposition party paid their homage, by frequent

* On this whole affair, the observations of Lord Chatham (Correspondence, vol. iv. p. 119) are malicious, strong, and characteristic. "The storm," he says, "thickens admirably well; and these wretches, called ministers, will be sick enough of their folly (not forgetting iniquity) before the whole business is over. If I mistake not, it will prove very pregnant, and one distress generate another; for they have brought themselves and their master where ordinary inability never arrives, and nothing but first-rate geniuses in incapacity can reach; I mean, a situation wherein there is nothing they can do which is not a fault. They have wantonly called up a conflict of high and sacred jurisdiction: neither can relinquish their right; one may err (and I continue to be clear that the Lord Mayor errs), but his error, taking it to be sincere and conscientious, cannot be criminal or punishable: it is honest, spirited, and respectable, though justly to be opposed by a counter-claim of better right. If expulsion be attempted, it is the consummation of tyranny." In another letter, p. 118, using a more moderate tone, he had said, "That the proceeding of the Lord Mayor is censurable, I have no doubt; and as far as resolutions asserting the clear right of either House of Parliament, I could not in conscience oppose them, in case the matter should come before the House of Lords; but I am of opinion, that to go further than the *bruta fulmina parliamentaria*, noise without effect, would be neither wise nor becoming."

† It is even said that they had a rope prepared for the purpose of executing summary vengeance, but that the Lord Mayor saved the life of Mr. Clementson, by stating him to be one of his chaplains. This fact stands on an authority higher than that of newspapers. *Memoirs of Brass Crosby*, p. 37.

visits to the idol of the day. He was attended by deputations, presenting him the freedom of several cities and towns, with suitable addresses, and even his personal enjoyments were provided for by numerous presents. The city zealously espoused the cause. At a court of common-council, convened at Guildhall, where Mr. Trecothick officiated as *locum tenens* for the Lord Mayor, public thanks in writing were voted to him, and to Oliver and Wilkes; a committee of four aldermen and eight commoners was appointed to assist in their defence before the House, and empowered to employ such counsel as should be thought fit, and to draw on the chamber of London for any sum not exceeding five hundred pounds. When Crosby and Oliver were in custody, and these exertions could be no longer beneficial, the committee ordered the expenses of their table to be paid by the city. No effort was omitted to convert the sentence of imprisonment into a triumph. The twenty-six wards of the city presented each a separate address, and their deputations received answers, which were duly communicated to the public. Similar declarations arrived from the grand juries of many counties in England and Wales, and from a committee of merchants of Dublin. Alderman Oliver received, at the same time, the same compliments. Writs of habeas corpus were, by the instructions of the committee of common council, sued out, and the prisoners separately conveyed before Lord Mansfield, and Lord Chief Justice De Grey; counsel attended, but after a full hearing, the judges declared themselves not authorized to interfere, and the prisoners were remanded. In the ensuing term they were again brought, by writs of habeas corpus, before the Courts of Common Pleas and Exchequer; but, in both, the Bench declared themselves unable to reverse the proceedings of the House of Commons, and the prisoners were therefore obliged to remain in custody till the prorogation of parliament, which in course terminated their captivity. Their discharge was celebrated with illuminations and public rejoicings; they were, by

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1771.

Homage
paid to the
Lord Mayor.

Proceedings
of the court
of Common
Council.
19th and
21st March.
3d April.
5th.

22nd and
30th April.

8th May.

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order of the common-council, attended from the Tower to the Mansion-house by a magnificent procession of city officers in their robes; while a large concourse of people testified unbounded exultation.

It was proposed, by some zealous persons, to erect a statue to Oliver in Guildhall, to be placed near that of Beckford; but it was not executed. A cup, of the price of two hundred guineas, was voted and presented to him; and to each of the other two aldermen one of half that value.

Supposing, and there is no reason to doubt it, that the lord mayor considered himself to be acting rightly in the exercise of his magisterial functions, his conduct was distinguished throughout by firmness, moderation, and manly dignity. If it should be suggested, that before the House of Commons he was acting a part, it must still be allowed that he played it with spirit, and without insolence, flippancy, or buffoonery. His interference to save Mr. Clementson, the quiet manner in which he repaired to the Tower, and the great propriety with which he received the compliments which were tendered to him, entitle him to the highest praise. He rejected the offer of the city to furnish his table, and does not appear to have solicited or excited any of their other acts of benevolence or declarations of regard. He had the power, and an evil-minded man would have exerted it, to cause great difficulty and embarrassment, by refusing to sanction the performance, by another, of many acts which can only be done by the authority of the chief magistrate. Far from adopting such a course, when it was put forth as a rumour that he had such an intention, he took the first opportunity to assure his fellow citizens that it was altogether void of foundation; as he was determined that no individual should suffer by his imprisonment*.

Observations
on Crosby's
conduct.

April 8.

* In its subsequent stages, the public life of Alderman Crosby affords a lesson to those who consider popularity as a permanent possession, or who to obtain it would sacrifice any principle of integrity or honour. In the following September, it was proposed to re-elect him lord mayor for the year ensuing; a poll was demanded, and he stood only third on the list, Alderman Nash and Alderman Sawbridge being both above him. On the dissolution of parliament, in 1774, he stood candidate for the city, but was rejected. On the death of

Mr. Wilkes alone escaped with impunity: by a letter to the Speaker he refused to appear in the house, unless called to his place as member for Middlesex. Other orders for his attendance being likewise disregarded, the House was embarrassed: Mr. Wilkes's partizans urged the propriety of vindicating the dignity of parliament, and not permitting him to escape, while his fellow delinquents were subjected to such severe punishment; but the ministry, apprehensive of exposing themselves in a further contest with such an opponent, evaded all further discussion of the point, by an expedient, in which conveniency was consulted more than dignity: an order was passed for the attendance of Mr. Wilkes on the 8th of April, and the House adjourned till the ninth.

A secret committee of twenty-one members was appointed, for the purpose of asserting and maintaining the dignity of parliament: they sat with great diligence and perseverance upwards of a month. Great expectations were formed of the result of their deliberations; and the friends of the lord mayor and alderman were preparing themselves accordingly: but when the report was presented, it merely recommended that Miller should again be taken into custody by the serjeant at arms. The report was successfully ridiculed by Mr. Burke, and a motion of thanks to the committee proposed in such a burlesque style, that Lord North moved an adjournment. No further attempt was made against Miller, and from this period the publishers of newspapers and other periodical works have been in the constant habit of detailing the proceedings of both houses of parliament*.

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Address of
Wilkes.
19th March.
20th and
24th.

28th March.
Committee
appointed.

30th April.
Their report.

Alderman Bull, in 1784, he was equally unsuccessful, being opposed by Brook Watson. And so ended his attempts to avail himself of the good-will of his worshippers in the city: he died in 1793. In revising this portion of my narrative, I have derived great assistance from a thin quarto volume, published in 1829, under the title of *Memoirs of Brass Crosby, Esq.* It contains very little beside the history of this transaction; but, in the text, the notes, and the appendix, the information compiled is very copious. See also, for a general account of the transaction, *Almon's Life of Wilkes*, vol. v. p. 51.

* See debates on the days mentioned in the margin; *Annual Register* for 1771, chapter vi.; *History of Lord North's Administration*, p. 35 to 48; *Reflections on the present dispute between the House of Commons and the magistrates of London*; and many other pamphlets, and all the periodical works of the time.—Having related these transactions with a minuteness proportioned to

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1771.
Debates on
the Durham
Yard bill.
22nd Feb.

8th March.

Another occasion of contest between the city and the legislature arose in a bill for enabling certain persons to enclose and embank part of the river Thames adjoining to Durnham Yard, Salisbury Street, Cecil Street, and Beaufort Buildings. The proposition was referred to a committee, who reported in its favour, and recommended that the bill should be brought in. Petitions were presented by the city, and the companies of watermen and lightermen, who all considered their property exposed to encroachment. This was heard by counsel; but the other petitioners having omitted to give any instructions, the house restrained those who appeared for the corporation from extending their argument to any cases but that of the city. They produced a grant by Henry VII. of all the soil and bed of the river from Staines Bridge to a place in Kent, near the Medway, and showed a lease which they had executed sixty-six years before this period, of a nook of the river at Vauxhall, under which they still continued to receive rent. On the other side, a charter of Charles II. to the city was produced, in which he reserved the bed of the river; and it was contended that the city, by receiving the latter grant, abandoned the former. The charter of Henry VII. extended only to the soil of the river within the city and suburbs; the lease of Vauxhall was a mere encroachment, and the right of the city was utterly denied. These arguments prevailed: the bill was committed, and passed both houses; a protest was en-

their singularity and the importance of the result, it may be proper to make a few observations. A broad statement, that it is but right and decent for the constituents to have an opportunity of knowing what is said and done by their representatives, appears almost a truism: but the daily publication of debates on subjects yet undecided is often productive of bad effects, by inspiring exaggerated hopes and unfounded fears, and by inducing members to address their sentiments rather to the galleries than to the chair. The disposition to debate on all public affairs has perhaps been increased by this practice; but the disputants without doors are put much more on a level than formerly; every paper which contains the arguments of one side gives also the reply; whereas, formerly, political disputes were only judged of by party pamphlets, and occasional publications of protests, and garbled debates. Every liberty may be perverted, and licentiousness may result from malice or from ignorance; but, guarded as the members of parliament are, both by equal laws and exclusive privileges, they have little to fear from personal misrepresentation; and a moderate and timely exertion of the standing order to clear the house, when particular debates are expected, will always insure the nation against the effects of indiscreet publications of matters which ought to be kept secret.

tered on the lords' journals, signed by three peers only. A magnificent pile of buildings, called the Adelphi, has been erected on the site. These were the principal transactions of the session. An attempt was made to revive or perpetuate the memory of the event in St. George's Fields, by inducing William Allen, father of the young man who had been shot, to present a petition, in which were recited the charge against Maclane, the letters of Lord Weymouth and Lord Barrington, and the gratuity given to him after his acquittal. It was asserted that the man who had escaped was kept in Scotland, although the petitioner had applied to the law-officers and petitioned the crown for justice. He had heard that the house had justified these measures, and had been advised to apply to them, praying such relief as they might think proper.

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April 25th.
Allen's
petition.

Lord North justly exposed the motive of this petition. It was an attempt to revive the discussion which had taken place two years before, when Lord Barrington had exculpated himself to the satisfaction of the whole house, except thirty-nine members. It was needless to receive the petition, as the house could give no relief. Sir George Savile supported the application, Mr. Burke renewed his attack, and Lord Barrington again made his defence. A division taking place on the question for admitting the petition, the minority found their numbers six below its former amount*.

Refused.

Some discussion took place in a committee on the lottery bill, on the supposed practice of permitting the friends of the minister to subscribe for tickets, which they sold to advantage, and thus obtained a sort of bribe; but no effect ensued. A bill was also brought in for preventing marriage between the divorced wife and the adulterer, which was lost after the second reading.

April 23.
Lottery bill.

3rd.
Divorce.

In the speech from the throne, which terminated this long and active session, the King congratulated the Houses on those exertions which had averted a war, and enabled him with confidence to promise a continuance of peace. He exhorted them to employ

8th May.
End of the
session.

* 33 against 158.

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their best endeavours in rendering the national happiness complete, by discouraging and suppressing all groundless suspicions and domestic disturbances. "I have no other object," he said, "and I can have no other interest, than to reign in the hearts of a free and happy people: and it is my earnest wish that my subjects may not be prevented, by any mistakes or animosities amongst themselves, from enjoying, in the fullest extent, the blessings of a mild and legal government. The support of our excellent constitution is our common duty and interest. By that standard I would wish my people to try all public principles and professions, and to look upon those as their most dangerous enemies who, under any pretence, would persuade them to violate those laws, and undermine that authority which the constitution has provided for the purpose of preserving the general liberty and happiness."

City petition.
9th July.

10th.

During the recess, the city had recourse to the accustomed measure of addressing and petitioning the throne. Their intention being announced, the lord-chamberlain wrote to the lord mayor, informing him that the livery could not be permitted to attend him to St. James's; and copies of this letter were posted in various parts of the city, under pretence of preventing the livery from assembling. A petition was presented, couched in the same language with others which had been previously addressed to the throne; it complained of the arbitrary, audacious, illegal, and wicked proceedings of the House of Commons, in imprisoning the city members, and procuring the Durham Yard Act; and prayed the King to give peace to the nation by a speedy dissolution of parliament, and by removing his present wicked and despotic ministers from his presence and councils for ever. The King, in answer, said, he was always ready to exert his constitutional prerogative in redressing real grievances, and the city of London should ever find him ready to listen to well-founded complaints; but he felt concern at seeing a part of his subjects still so misled and deluded, as to renew, in such reprehensible terms, a request with

The King's
answer.

which he had repeatedly declared his resolution not to comply.

At some preceding periods, this transaction would have created a considerable sensation; but the public now observed it without concern; the moment of delusion was past, and the schism among the city patriots, which was increased to a great degree of personal animosity, rendered their proceedings matter of indifference to all but themselves. Causes, which it is no longer important to ascertain, had created irreparable variances among the leaders of city politics: their public meetings were scenes of hostility, clamour, and recrimination; and the press teemed with their mutual abuse. The societies which they had instituted were either dissolved, or weakened by secessions and rivalships; while the popularity, for which they were thus indecently contending, was visibly and daily diminishing. Wilkes gave offence to the lord mayor and Oliver, by intruding, in a manner which was considered unwarrantable, into the affair of the printers, and diminishing the effect of their plan, in order to increase his own popularity*. Lord Chatham justly observed, on this subject, that a head-long self-willed spirit had sunk the city into nothing. Attempting powers it had no colour of right to, it had lost the weight to which it was entitled†. During the confinement of the lord mayor, the ward of Farringdon recommended the election of Mr. Wilkes as sheriff, and he promised to accept the office, if chosen. He waited on Mr. Oliver, who was expected to be one, and announced himself as a probable coadjutor. The imprisoned alderman was decidedly adverse to the measure; and, after remonstrating with him for a considerable time in vain, sent a letter to Mr. Wilkes's deputy, stating the total difference of their political views, and his resolution, for that and many other reasons, not to serve the office of sheriff with Wilkes. Notwithstanding this intimation, Mr. Wilkes persevered in offering himself as a candidate, and, at the

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1771.
Division of
the city
party.

11th April.
12th.

24th June.

* Memoir of Brass Crosby, p. 22.

† Correspondence, vol. iv. p. 187.

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5th July.
20th Sept.Increasing
strength of
administra-
tion.
Death of
Lord Hali-
fax; and
consequent
changes.
8th June.
12th.
1st.State of the
opposition.

close of the poll, he and Alderman Bull were returned by a large majority*. Before they entered on their office, the new sheriffs appealed to the prejudices of the people, in an address to the livery, declaring their resolution not to gratify an unprincipled administration, by permitting the military to attend the execution of the law on criminals. They afterward attempted to attract notice by some factious frivolities; but the public no longer appeared interested in their manœuvres†.

There was now, in fact, no plausible grievance to complain of; the ministry appeared more firmly united among themselves, and better supported than any preceding administration, and daily obtained accessions of strength. During the recess, the office of secretary of state, vacated by the death of the Earl of Halifax, was conferred on the Earl of Suffolk, and his place of lord privy-seal was accepted by the Duke of Grafton; Lord Hyde succeeded on the death of Lord Strange to the chancellorship of the duchy of Lancaster; but these changes made no alteration in the political system of administration.

The opposition, on the contrary, shewed every sign of feebleness, disunion, and discord. They were, by the confession of one of their most active and devoted adherents, in want of a leader and a general system: one set was so candid, another so violent, and a third so dissatisfied, that, to use the expression employed on the occasion, the scene was dreadful‡. Another, not less vehement partizan, speaking of the opposition, describes, in terms of ludicrous sarcasm, their appearance, on a division on Mr. Dowdeswell's libel bill.

* On this occasion, the mob testified their approbation of Wilkes by burning in effigy the Reverend John Horne, who had, of late, distinguished himself as one of Wilkes's principal antagonists.

† Wilkes sent a message (16th Oct.) to Alderman Nash, the lord mayor elect, requiring him not to give any *French wine* at the entertainments at the Old Bailey; the alderman very properly answered, that as Mr. Wilkes claimed a right of giving what he pleased, he could have no pretence for invading the privilege of another. The sheriffs, at the beginning of the session (23rd October), affected to gratify the populace by throwing open the doors and galleries at the Old Bailey, and not permitting money to be received by the door-keepers; the only effect was, to disturb the order of the court and incommode the grand jury.

‡ Letters from Mr. Calcraft to the Earl of Chatham, 26th March, 1771; Correspondence, vol. iv. p. 127.

"You see, my Lord," he says, "what a glorious day yesterday was for the opposition, and particularly for its leaders! Nothing under the humour of a Swift or a Rabelais can describe it to you. I went down to the house very angry with them; but in less than an hour they forced me to pity them." The same writer observed, in answer to an intimation from his noble correspondent, that he should take a lead in business; that the task was far above his abilities; there was no man in the House of Commons equal to it*. Nothing could be more true than this remark. There was no man in the house who, by his talents, birth, and connexions, was entitled to assume the lead of a party, to combine willing, and coerce reluctant, coadjutors. Colonel Barré and Mr. Burke, who were the most distinguished for ability, possessed no influence through family or alliance; both were considered in the light of enterprising adventurers; Barré was distinguished for gross and intemperate abuse, and Burke, if not so deeply imbued, was not exempt from the same stain. Other men, more eminent in station and connexions, had not an equal portion of talent, and were often prevented by discordant views and long-cherished prejudices, from forming a compact and available body.

Lord Chatham, the avowed and recognized head of opposition, could not govern or direct all the knots of which it was composed, so as to form an united phalanx. He felt his position, and lamented it in tones which sometimes almost indicated despair. On a difference between Lord Shelburne and Alderman Sawbridge, communicated to him by Mr. Calcraft, he spoke of their conduct as a strange and puerile desertion of the public, and a sudden revolution from the hottest zeal to the manifest appearance of dismay, produced apparently by a pet taken at he knew not what or whom. "I deeply lament," he added, "any tendency toward jealousies or animosities between dif-

* Colonel Barré to Lord Chatham, 8th and 21st March, 1771; same vol. pp. 112, 121.

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“ferent parts of the combined forces, who stand for the public, and upon the maintenance of whose union all hope of good depends. If that transcendent and indispensable object shall be thrown away, I shall esteem nothing worth pursuing with a moment’s thought.” In terms of more strenuous disapprobation, he spoke his feelings on the conduct of his friends upon one of his motions relating to Falkland’s Island. “Was ever such a state of things, or two such things as omnipotence and imbecility ever joined before. Lord Temple declined attending, and Lord Camden staid away. Matters are hastening to some crisis in the interior of the thing called Opposition. I think all is ruined, and am determined to be found at my post, when destruction falls upon us. The times are pollution in the very quintessence; and the little manœuvres in opposition behind the scenes are deplorable*.”

The Marquis of Rockingham gave him offence by his want of vehemence. He admitted him to be an honest and honourable man; but “moderation, moderation,” he said, “is the burthen of the song among the body. For myself, I am resolved to be in earnest for the public, and shall be a scarecrow of violence to the gentle warblers of the grove, the moderate whigs and temperate statesmen.” He spoke with no less disapprobation of the no-plan of Lord Temple, the poor weakness of Lord Camden, and the uselessness of any advice he could tender to the Marquis†. His disagreement with his adherents on the subject of press-warrants, on the city question, and some other points, has already been noticed. He was no less dissatisfied with Mr. Dowdeswell’s libel bill, which he hoped would be strenuously resisted by the friends of the constitution, as a compound of connexion, tyranny, and absurdity, not to say collusion; and he trusted

* Lord Chatham to Mr. Calcraft, 30th March, 28th November, 1770; Same, vol. iii. p. 438, vol. iv. p. 32.

† Letters to Mr. Calcraft, 28th July, 1770, and 8th April, 1771; Same, vol. iii. p. 468, vol. iv. p. 142.

such a compound of tyranny and folly would meet with the reception from the public which such a taskmaster deserved*. He disapproved also of an attack, most illiberal and unnecessary, made by Alderman Townshend in the house, on the Princess Dowager†.

Afflicted as he was at the death of his brother George Grenville, it could occasion no surprise that Lord Temple should "sigh after a retreat into private life‡;" but to hear Lord Chatham speak of the poor weakness of Lord Camden must indeed be astonishing, unless it is regarded as a proof of that domineering mind and impracticable temper which rendered it so difficult to act with him, either in office or in opposition. The learned lord, in terms of great moderation and conciliatory forbearance, had expressed his non-accordance with his friend in the manner of bringing the question on the Middlesex election before the House of Lords. He perfectly coincided in the principles laid down in the resolutions which Lord Chatham proposed to move; the ground was solid and the doctrine legal; but, if the question were narrowed to one of mere law, the public would take little interest in it. Since the case of Ashby and White, the Commons had retained a jurisdiction over matters in which they were concerned, and would never, in any time to come, depart from their claim; nor was it usual for either House to resolve points of law, unless the subject-matter before them made it absolutely necessary. Lord Chatham did not acquiesce in the effect of this opinion, but, expressing his dissent in kind and complimentary terms, pursued the course he originally intended§. From the part which he took many years afterward||, when the same measure was brought forward by Mr. Fox, it may be inferred that Lord Camden did not agree with Lord Chatham with respect to Mr. Dowdeswell's libel bill, and he disapproved most

* Lord Chatham to Colonel Barré, and to Mr. Calcraft, 21st February, 1771; same, vol. iv. pp. 100, 103.

† Same, vol. iv. pp. 134, 137.

‡ His own expressions; same vol. p. 37.

§ Same vol. pp. 37, 39.

|| In 1791.

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firmly of the intended motion for a dissolution of parliament.

With the characteristic jealousy of faction, the conduct of Lord Camden was attributed to interested intrigues with the Duke of Bedford's party, and with the Duke of Grafton, tending to his resumption of the great seal; and Lord Chatham was not free from the same suspicion. Relating a conference between them, he says, "I left his lordship not a little perplexed, "which seems to indicate his having entangled himself "already; but this, time will shew." No great lapse of time was required; for, as soon as Lord Camden could be informed of the injurious surmises which were entertained, he explained himself in a manner equally kind, candid, and honourable. "Though "your lordship," he said, in a letter to Lord Chatham, "seems to doubt how far I am open to a concurrence "with your lordship on a motion to dissolve the parliament, I can, with the greatest truth, assure you, "that I am open and at full liberty, and have been in "that situation from the day of my dismissal to this "moment, to join any opposition, in any measure, "against the whole or any part of the administration, "and that I am under the influence of nothing but "my own opinion, which (though weak to persuade "any other person) must be my own guide and director." And, with affectionate gentleness, he expressed his grief and concern that the last year should be the first that ever produced a difference between them upon public measures*.

21st Jan.
1772.
Meeting of
parliament.
29th.

Augmen-
tation of the
naval esta-
blishment.

As no public business claimed particular attention, parliament did not meet before the holidays. The King's speech contained no topic of importance, and the addresses in both Houses were agreed to without a division. The first debate in the House of Commons was occasioned by a motion to vote twenty-five thousand seamen for the service of the year. In support of this large establishment, the state of our possessions and relations in all quarters of the globe was

* Correspondence, vol. iv. pp. 141, 145, 161.

displayed. In India, the French maintained a considerable navy, which they had recently augmented, and the defence of our settlements rendered it necessary to create a superior force. The apprehensions for the West Indies, during the late reported rupture, obliged ministers to secure Jamaica, by maintaining an establishment sufficient to act as a check on Spain. The war between Russia and the Turks made British property insecure in the Mediterranean, unless protected in a more effective manner than usual; and it was represented as a great advantage to have a considerable naval armament always in a state of preparation.

These arguments were combated by Admirals Keppel and Saunders, who affirmed the equipment to be too small if there was a probability of war, too large if a certainty of peace; they arraigned and condemned the whole disposition and management of the navy. The ministry were accused, by other members, of making the King's speech full of peace, and in a few days preparing for war; the expense of the additional establishment was estimated at £500,000, and no argument could be adduced in favour of this augmentation, which would not, with equal propriety, apply to any other year. Lord North observed that the armament in India was necessary, not only to cope with the French, but as a check on the conduct of the Company's officers, of whose peculation and misconduct he grievously complained; and he promised in a year to have eighty ships of the line fit for service, which would at any time be a superior force to the French and Spaniards united. Several members spoke; but the measure was adopted without a division.

Attempts were made in this session to effect general or particular alterations in the constitution and regulations of the church. The earliest was a motion by Sir William Meredith for leave to bring up a petition from some of the clergy, and of the two professions of civil law and physic, praying relief from subscription to the Thirty-nine Articles. The intention of the petitioners was well known; they had long held assem-

Petition for relief from subscription to the articles of religion.
6th Feb.

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blies at the Feathers Tavern, and, by public advertisement, invited all who considered themselves aggrieved by the laws relative to subscription, to unite in their efforts for obtaining redress. Their proceedings occasioned some animadversion, and the press was employed in impugning and vindicating their intentions. The members therefore came to the house fully prepared on the subject, aware of its introduction, of the strength of argument by which it could be supported, and of the influence by which it was to be sustained.

The paper presented to the House claimed for the petitioners certain rights and privileges, held of God only, and subject to his authority alone, but from which they were in a great measure precluded by laws which required them to acknowledge certain articles and confessions of faith drawn up by fallible men, to be all and every of them agreeable to the Scriptures. Independently of the encroachment on their rights, they represented the subscription as injurious to the Christian religion, by precluding inquiry into the true sense of the Scripture ; by enabling unbelievers to reproach the clergy with prevarication and flexibility to objects of lucre or political consideration ; by affording to Papists the advantage of reflecting on the religious establishment as inconsistently framed ; by dividing the clergy ; and by occasioning scruples and embarrassment of conscience to thoughtful and worthy persons, in regard to entrance into the ministry, or cheerful continuance in the exercise of it. The clerical part of the petitioners complained of being obliged to *join issue* with the adversaries of Revelation, by supposing the true sense of Scripture to be expressed in the established system of faith, or else to incur the reproach of having departed from their subscriptions, the suspicion of insincerity, and the repute of being ill affected to the church, whereby their utility among their flocks and their success against the enemies of Christianity were generally obstructed. The petitioners educated with a view to the professions of civil law and physic, complained of being obliged, at their first admission or matriculation in the university, to subscribe un-

feigned assent to a variety of theological propositions, which, from their immature age and want of leisure, they could not be supposed to have duly examined; and they all complained of the injury posterity would sustain in being irrevocably bound to the tenets of an age less enlightened than their own. In conclusion, they professed a full recognition of the King's supremacy, and an abhorrence of popery, and prayed to be relieved from an obligation so incompatible with the right of private judgment, so pregnant with danger to true religion, and so productive of distress to many pious and conscientious men; submitting their cause, under God, to the wisdom and justice of a British Parliament and the piety of a Protestant King.

The motion for receiving this petition was seconded by Mr. Thomas Pitt. Sir William Meredith said it was repugnant to the liberality of sentiment prevalent in this age, to oblige people to subscribe to the truth of articles which they could not believe; such a necessity produced habits of prevarication and licentiousness in the church, and had a tendency to destroy Christian charity. The establishment, he contended, would, by the proposed reformation, acquire a firmness which nothing could shake.

The reception of the petition was opposed on various grounds, and with great diversity of argument, which occasioned a long and desultory debate. Sir Roger Newdigate deprecated the measure, as tending to destroy the very being of the church of England; reproached the clergy with signing such a petition, after they had subscribed the Thirty-nine Articles; ridiculed their alleged scruples of conscience, and said it was such tender consciences that, in the last century, subverted the church. He denied the power of the House to dispense with oaths, or receive a petition which would be a direct breach of the articles of union between England and Scotland. The King, too, was bound by oath never to admit any alteration in the liturgy or in the articles.

Mr. Hans Stanley delivered his sentiments with great moderation. The petition appeared to him to

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1772.

contain a sort of contradiction, which rendered it an unfit subject for deliberation; a minority in number came to solicit from the majority a material alteration in religion*. He had heard it generally asserted, that the original intention of the petitioners was to object to certain articles of the thirty-nine, and to particular parts of the liturgy: but not being able to agree in all respects, they had placed the house as well as themselves in a situation of considerable embarrassment; they applied to become members of an ecclesiastical community, namely, the Church of England, yet desired the foundation on which that constitution is built to be removed. Professing himself a warm friend to toleration, he resisted the right of separate sectaries to teach schismatical doctrines under the garb of the Church of England. No reformer, whose name has been transmitted with honour and approbation, had ever framed so wild an idea as that of putting all religious creeds on a level. "If all the founders of religious systems," he said, "were alive at the same time, I am persuaded they would compose as numerous an army as that with which Alexander subdued the Persian empire; yet every one of them would derive his tenets from the Scriptures; but the wisdom of all countries has rather chosen to trust to explanations, derived from the mature labour and consideration of a venerable and pious hierarchy, than to the crude fancies and notions of every assuming dogmatizer, who desires to make himself famous for the singularity of his sentiments: on this account, systems and creeds have prevailed all over Christendom." Denying that it was a great hardship for persons who, from scruples of their own, could not accept church preferment, to seek other virtuous employment, he concluded with saying, he thought the peace of mankind a fortieth article which he prized as much as the other thirty-nine; and although many disputes had arisen in our civil administration, yet, respecting ecclesiastical affairs, we had, since the accession of the House

* About 240 persons subscribed the petition, of whom 200 were clergymen. The whole number of the clergy was calculated to be 20,000.

of Hanover, enjoyed more peace than any other age or country could boast. He pronounced it inconsistent and dangerous to introduce such a proposition to parliament; for although a free country may alter any law, being the creature of the legislature, yet there are laws so fundamental that they cannot be altered without shaking the basis of the state.

Mr. Wedderburne, while he opposed the petition, denied that it contained any thing detrimental to the compact of union between England and Scotland, and cited precedents in which the church government had been already very properly changed.

Mr. Burke resisted the introduction of the petition, not because the Church of England could not subsist independently of the Thirty-nine Articles, but because the petitioners, by the extraordinary latitude they had taken, rendered their objects indeterminate. "What are we to understand," he said, "by the Holy Scriptures, which these gentlemen desire to make a profession of their belief in? The Romish canon admits the books of the Apocrypha; the canon of Luther excludes some parts of the Pentateuch, and the whole Epistle to the Hebrews; and some ancient fathers have rejected the book of Revelations. Mankind are as little likely to be of one mind on this, as on any other point."

Sir George Savile and Mr. Thomas Pitt defended the petition, and the character of the petitioners; vindicated their pretensions to be exempt from subscription to complicated creeds; and asserted, that there was no argument urged against the petition which would not impeach the reformation.

Lord North, Mr. Fox, and several other members of talents, opposed the reception of the petition, and were replied to by Sawbridge, Sutton, and Dunning.

The case was generally argued as it affected the clergy; the House seeming to consider the operation of the act upon the professions of law and physic of small importance to the public; but a wish was expressed that the Universities would grant relief in that point, as well as to young students at the time of ma-

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trication. Lord George Germaine descanted at considerable length on the impropriety of this restriction. Mr. Soame Jenyns defended the Universities, and particularly Cambridge, averring that they could not annul the practice of enjoining a subscription, as it was founded on a royal statute, ordained at the instance of King James I.

The debate was long and spirited; the cause of the petitioners, and of the Church, being defended with equal zeal and ability: nor was the subject treated as a party question, but discussed entirely on its merits. The motion to bring in the petition was lost by a great majority*.

Feb. 17th.
Church Nullum
Tempus.

Another attack on the ecclesiastical establishment was made by Mr. Henry Seymour, who moved for leave to bring in a bill for securing the possessions of the subject against dormant claims of the church: this was called the Church Nullum Tempus bill. In support of the proposition, the common topics were alleged, tending to show the impropriety of tolerating long dormant claims, and the tyrannical and oppressive use to which they might be applied. On the other side, it was shown, that the Nullum Tempus, claimed by the Crown, and put an end to by statute, was an engine in the hands of the strong to oppress the weak; whereas the Nullum Tempus of the church was a defence to the weak against the strong. The motion was rejected†.

30th Jan.
Sermon on
King
Charles's
martyrdom.

Dr. Nowell, principal of St. Mary Hall, Oxford, in preaching before the House of Commons, on the anniversary of King Charles's martyrdom, expressed senti-

* 217 to 71. In detailing this debate, I have principally relied on the History of Lord North's Administration; the author of which asserts, that he derived his information from minutes taken in the house, and never before published. The compiler of Debrett's Debates has given two details, differing materially from each other, and from that I have principally consulted; but of them I have made some use. Some information has also been derived from a variety of pamphlets, particularly Wollaston's Address to the Clergy; Thoughts on the Dangers apprehended from Popery and Sectaries, by abolishing Subscription to the Thirty-nine Articles; Letters on the Subject of Subscription to the Liturgy and Thirty-nine Articles, published under the signature of Paulinus; a Letter to the Members of the House of Commons, respecting the Petition for Religion, by a Christian Whig; and Tucker's Apology for the Church of England. For a curious and characteristic letter on this subject, see Gibbon's Posthumous Works, vol. i. p. 447.

† 141 to 117.

ments which were considered highly repugnant to the liberties of the kingdom, as established by the glorious Revolution in 1688; this gave rise to another debate, in which an attempt was made to change the ecclesiastical regulations. As only the Speaker and four members were present at the delivery of Dr. Nowell's discourse*, a motion of thanks, and for printing the sermon, was carried without difficulty. It was made, at the request of the Speaker, by Sir William Dolben, and seconded by Mr. Popham. As both these members were present when it was delivered, they were supposed to know its contents; but when the sermon was printed and generally transmitted, some passages excited severe animadversions.

Mr. Thomas Townshend, in mentioning it to the house, said that it ought to be burnt by the common hangman, as containing arbitrary, tory, high-flown doctrines; and moved the reading of two long-standing orders, declaring that the sermon on the anniversary of the murder of King Charles should be preached before that house only by persons who had attained the station of deans, or taken the degree of doctor of divinity, and been appointed chaplains of that house. He further moved, that thanks should not be given for any sermon until it had been printed and delivered to the members. This motion would probably have been carried; but it was so inconsistent with the former vote, that it was negatived by moving the order of the day.

21st Feb.
Debates on
the vote of
thanks to the
preacher.

Yet the discussion was not permitted to end: the Honourable Boyle Walsingham, supported by Mr. Thomas Townshend, moved to expunge the thanks given to Dr. Nowell, which, after strenuous contest, was carried without a division†. The passages exposed to censure denied that the misfortunes and unhappy fate of King Charles were brought on by his despotic ambition, or by his arbitrary and tyrannical proceedings, and affirmed that the complaints of his oppo-

25th Jan.

* Gibbon's *Posthumous Works*, vol. i. p. 450.

† In the course of the debate the order of the day was moved and negatived by 152 to 41.

nents had preceded even their pretended grievances, and continued after they were redressed; they felt indeed one, which to men of their cast would ever be a real grievance, the establishment of episcopacy in the church and monarchy in the state, of both which their levelling principles were equally subversive. Whatever colouring these pretences might lend to rebellion, the ground of it was laid in the factious zeal and turbulent spirit of men devoted to enthusiasm, frenzy, and madness. "And," he concluded, "while we behold the bright resemblance of those princely virtues which adorned the royal martyr, shining in the person of our gracious sovereign, let us earnestly address the Throne of Mercy, that the guilt of an ungrateful, abandoned people may not cause this sun to be withdrawn from us, nor quench the light of Israel."

In this debate, many topics were introduced tending to involve general questions of government, and reflecting on the character of Charles I. Sir William Dolben maintained that Dr. Nowell deserved thanks for his sermon; that the passages selected did not bear the construction which had been put upon them; they were proper, and well warranted both by the history of the times and the service appointed by the church; and that the present complaint proceeded from the spleen of the gentleman, who had shewn his temper by dashing it three times on the table, and affirming that it ought to be burnt by the common hangman. Sir Roger Newdigate, pursuing the same line of argument, said that no writer of any credit or ability had ever attempted to defend the men who opposed Charles. One historian, indeed, had endeavoured to do it; but no regard was to be paid to that work, as the author was known to entertain notions and profess principles diametrically opposite to our religion and government. Lord Folkstone ironically justified the preacher, because his doctrines were conformable to the service of the day, which was composed by Father Peter, confessor to James II. Alderman Sawbridge, irritated, perhaps, by the reflections of Sir Roger Newdigate on a history published by his sister, Mrs. Macaulay,

warmly vindicated the murder of Charles, which, he said, was a just punishment for his dissimulation, oppression, and cruelty; and at the same time sarcastically inquired if these were the virtues which Dr. Nowell meant to recommend to the King*?

In pursuance of these sentiments, Mr. Montague moved a repeal of the act for observing the thirtieth of January, which he observed was in some measure blasphemous, as it conveyed a parallel between Charles I. and our blessed Saviour. His speech was characterized by moderation and propriety. He professed a sincere regard for the church of England, and said that, although he could not subscribe to doctrines of passive obedience and non-resistance, he was no republican. Nor would he follow the practice of some gentlemen, who, when they failed in their motions, threatened to renew them yearly. If he did not now succeed, he would move his proposition no more. The liturgy was defended by Sir Roger Newdigate, and the motion lost on a division†.

In this interval, the protestant dissenting ministers were actively engaged in preparing an application to Parliament for "A legal security against those penalties to which such of them were liable as could not conscientiously comply with the terms of the Toleration Act; and also to obtain relief for tutors and schoolmasters from those oppressive laws to which they were exposed, and from the inconveniences which they actually suffered in endeavouring to get the natural course of those laws obstructed‡." The

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2nd March.
Motion for
abrogating
the observ-
ance of King
Charles's
martyrdom.

Efforts of
the Dissen-
ters.

* Since the publication of the first edition of this work, I have learnt, from unquestionable authority, that Dr. Nowell undertook to preach this sermon at the express request of the Speaker, who, after hearing it, observed, good-humouredly, that he would be attacked by the reviewers. Before it was printed, in pursuance of the order of the House, Dr. Nowell waited on the Speaker, and offered to expunge or qualify any expression which might be thought exceptionable; but was answered, "By no means." Several other persons of judgment and moderation, to whom he submitted it, concurred in praising it, without suggesting the necessity of an alteration. It was therefore not without great surprise that Dr. Nowell learnt the censures his sermon had occasioned; censures which, perhaps, gave him greater uneasiness than those who pronounced them intended to convey. A very clear account of the whole transaction is given in Lord Glenbervie's Election Cases, vol. iv. p. 369.

† 125 to 97.

‡ This account of the intention of the Dissenters is taken from a Free and Dispassionate Account of the late Application to Parliament, by Dr. Stennett, a very eminent dissenting teacher.

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penal statutes originally enacted against Dissenters were extremely severe; but by the Toleration Act, passed soon after the Revolution, all Dissenters were exempted from the operation of the old laws on their subscribing the doctrinal articles of the church of England, which included thirty-five and a half out of thirty-nine*. This act was framed with the full assent of the Dissenters of those days, who were strict Calvinists; but in a short period afterward, schisms arising among them, many denied the right of a Christian society to impose articles of human composition on any of its members. These principles prevented many Dissenters from subscribing the articles, and frequent attempts had been made, in former reigns, to relieve them from the subscription and test laws; and although these efforts did not succeed, their merits in establishing the House of Hanover on the throne, and their orderly and exemplary conduct, were so highly considered, that the laws against them became mere dead letter.

In the debate on the petition of the clergy, and in the publications which it occasioned, the usual acknowledgments were made in favour of the Dissenters, and wishes were expressed that they might speedily be relieved from the necessity of subscription. Anxious to take advantage of a moment so apparently favourable, the ministers residing in London, some of whom heard the debate, immediately entered into a consultation, and agreed that it was highly eligible to secure the benefit of the present disposition of the House, and petition for that relief they had so long desired, and had been waiting for an opportunity to obtain. The limitation of the period for preferring petitions was an insurmountable obstacle to their soliciting the co-operation of their brethren in the country, and they therefore intended to defer the proposed application till another session, when, at one of the meetings, intelligence was communicated of the favourable disposition of government; accompanied

* Those excepted are the 34th, 35th, 36th, and part of the 20th.

with the offer of a person in high station to bring in their bill by way of motion, which could be done at any time in the session*.

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The hopes of the Dissenters were thus inflamed to a most sanguine confidence: they distributed among the members of Parliament a partial and exaggerated statement of their grievances, and anticipated complete success. The motion for leave to bring in a bill for their relief was made by Sir Henry Houghton, and seconded by Sir George Savile: on this occasion the principle was fully debated; the hardships imposed by the law on Protestant Dissenters were displayed and descanted on with the utmost force, and the generous and tolerating principles of the British constitution invoked for their relief. In reply, it was observed, that as the laws in question were never enforced, the Dissenters could have no room to complain; they were demanding relief who never felt an injury; and as they were never called on to subscribe, they were never exposed to the rigours of the law: to them then it was not an evil; but, if repealed, all the barriers erected by the prudence of former legislatures against the enemies of the Church would be destroyed: enthusiasm on the one hand, and infidelity on the other, would ascend the pulpit, and distribute their pernicious dogmas without possibility of restraint or fear of punishment. Publications inimical to the Church, or to the Christian religion, were dangerous only in a small degree, because they could be answered in the same manner, and fell into the hands of persons who were disinterested and unprejudiced; but the delusions of the pulpit could never be too cautiously guarded against, because they were delivered to an audience prepared, for the most part, to receive the desired impression, and those who uttered them could not be refuted. If the Dissenters, as a respectable body, claimed regard to the tenderness of their consciences, the members of the established church,

3rd April.
Motion to
repeal the
test laws.

* See the Case of the Dissenting Ministers, by Israel Mauduit; A Free and Dispassionate Account of the late Application, by Dr. Stennett; and Vindication of the Protestant Dissenting Ministers, by Dr. Kippis.

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more numerous, and not less respectable, had prior claims on the regard of the legislature. The present ought, it was said, to have been entitled an act for the encouragement of Presbyterianism, and for weakening and destroying the Church of England; it tended to revive extinguished animosities between the body of the people and the Dissenters, and to establish a republican religion, which had been at all times the sworn foe to monarchy.

Bill passes
the Lower
House.

May 19.
But rejected
by the
Lords.

The cause of the Dissenters, however, was supported by the greater share of ability, and, the ministry shewing a decided predilection for the measure, the bill passed speedily, and almost without opposition, through the Lower House*. In the Lords it met a different fate: it was read a first time; but, on the second reading, the motion for committing it was strenuously opposed. It was supported by the Duke of Richmond, Lord Chatham, Lord Shelburne, and Lord Lyttelton; Lord Mansfield and Lord Camden are also said to have divided in its favour. Among the principal opponents were Lord Bruce and Lord Gower, the Archbishop of York, and the Bishops of London, Oxford, Peterborough, and Landaff; the latter of whom is reported to have made a most powerful speech, and to have produced, from the writings of Dr. Priestley, passages which equally excited the wonder and abhorrence of his hearers, and drew from Lord Chatham exclamations of monstrous! horrible! shocking!† The bill was rejected by a large majority‡.

April 7.
Mr. Fox's
bill to re-
peal the
Marriage
Act.

An attempt to alter the ecclesiastical regulations of the country was made by Mr. Fox, who moved to repeal the statute 26 George the Second, c. 33, commonly called the Marriage Act. Independently of his own judgment, he had an hereditary dislike to this law, for his father had been one of its principal opponents§. He proposed to abolish those clauses which related to the prevention and making void of clandes-

* On the motion for a second reading, the division was 70 to 9.

† Parliamentary History, vol. xvii. p. 441.

‡ 102 to 29.

§ See Parliamentary History, vol. xv. p. 1, and the authorities there referred to.

tine marriages, but to retain all those which gave them notoriety. The law was said to have been planned in favour of the aristocratical portion of the nation, by making heiresses at the disposal of their parents and guardians; but it operated also to the prejudice of the poorer part of mankind; of sailors, for example, who could not always reside so long as the act required to make an union lawful; and it was unjust to create a nullity on account of an act which was not in the control of the contracting parties.

On the other side were urged the obvious reasons which had given occasion for the act; the infamous manner in which the ceremony had been prostituted in the Fleet and other places, and the difficulty of establishing by legal proof the validity of such contracts. An evasion in favour of the wealthy had been found, as Smollett expresses it, in a short voyage to the continent, or a modern journey to North Britain*; nor was it a fact that marriages among the poor had been prevented; and it had given to parents a power to watch over their children at those tender years when they could not have acquired the power of judging for themselves in a matter of such high importance.

Leave was obtained by a majority of one only †. The bill was brought in, and went through a committee; but, on the motion that it should be engrossed, it was definitively rejected ‡.

In October 1771, the Duke of Cumberland, one of the King's brothers, privately married Lady Ann Horton, widow of Christopher Horton, Esq. of Catton Hall, in the county of Derby, and daughter of Lord Irnham: when the match was publicly announced, His Majesty forbade them the court. The displeasure thus shown did not deter the Duke of Gloucester, in the ensuing spring, from avowing as his consort the Countess Dowager of Waldegrave, whom he had espoused in 1766§.

Marriage
of the
King's brother.

* History, vol. iii. p. 352.

† 62 to 61.

‡ 92 to 34.

§ See Lord Waldegrave's Memoirs; Introductory Epistles, p. 10.

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20th Feb.
King's
message.

A royal message was, in consequence, sent to Parliament, stating that the right of approving all marriages in the royal family had ever belonged to the Kings of this realm, as a matter of public concern; and recommending to both Houses to take into serious consideration, whether it might not be wise and expedient to supply the defect of the laws, and by some new provision more effectually to guard the descendants of George II. from marrying without the consent of the King, his heirs and successors. In consequence of this message, a bill was brought into the House of Lords, by which it was declared that no descendant of the body of King George the Second, being under the age of twenty-five years, with certain exceptions, should be capable of contracting marriage without the King's consent, signified with certain prescribed formalities; after attaining that age they were at liberty, in case of the King's refusal, to apply to the privy council, by announcing the name of the person they were desirous to espouse, and if, within a year, neither House of Parliament should address the King against it, the marriage might be legally solemnized; but all persons assisting in, or knowing of an intention in any of the Royal Family to marry without fulfilling these ceremonies, and not disclosing it, should incur the penalties of a premunire.

26th.
Royal marriage bill.

This bill was vehemently opposed in all its stages; several questions on the extent of the King's right to regulate marriages in the royal family were propounded to the judges, and answered in a manner which shewed the necessity for a new law, if it were desirable to afford to the sovereign the right of regulating alliances affecting the honour and interests of his family, and, through them, of the nation at large.

3rd March.

The house divided on the second reading, on the preamble, and on every one of the clauses, and several proposed amendments were rejected. On the motion for its being committed, the Marquis of Rockingham opposed it, on the supposition that the royal family might, in time, become so extensive as to include many thousand individuals; it was defended in all its parts

by the lord-chancellor; Lord Camden objected to it for the reasons assigned by the Marquis of Rockingham, and deprecated the annulling of a marriage between persons of mature age. It passed without amendment*; two strong protests were entered on the journals, the first signed by fourteen peers, the latter by six, two of whom had signed the former, and an additional article by the Earl of Radnor alone, whose objection was, that it did not guard against the greater evil, the improper marriages of princes on the throne.

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Protests.

In the House of Commons, an opposition equally strenuous was made; several debates took place on the question for taking the King's message into consideration, and every clause in the bill was opposed with acrimony and pertinacity. Connecting the first of these debates with the subsequent events, it derives interest from the opposition of Mr. Fox. He said, it gave him much pain to be obliged to differ from a minister whose general conduct he so much applauded, and whose political principles he admired,—a minister who, with unexampled spirit and resolution, had stood forth in the most critical and dangerous moment, to save his country from that anarchy and confusion into which it was about to be plunged by factious and ill-designing men; and, considering the bill big with mischief, and likely to bring upon the country that very disorder and confusion from which his former conduct had rescued it; no consideration of regard or good opinion should prevent him from giving his most determined opposition to every part, in every stage. Lord North observed, that he should always lament when a gentleman of whose abilities and integrity he had so high an opinion differed from him; and that the manly, open, and spirited manner in which he had, from the first, communicated to him his objection and intention of opposing, had increased, instead of lessening, the esteem in which he held him.

4th to 24th
March.
Debated in
the House of
Commons.

In all its stages, the questions of religion, law, morals, and policy, arising out of this measure, were amply discussed. The observations just alluded to

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occurred on a motion by Mr. Dowdeswell, requiring the house to deny the assertion, that the right of approving all marriages in the royal family had ever belonged to the sovereign as a matter of public concern. Instances were produced from history of marriages in the royal family, where the King had not been consulted, and which yet were deemed valid. These were met by others, shewing that the consent and approbation of the King had been given to the marriage of his children, and that on such terms only had they been announced to parliament; but it was not asserted that marriages otherwise contracted were invalid; indeed, had they been so, the present bill would be useless. The order of the day was moved and carried*.

During this sitting, none but members of the house were admitted; the gallery doors were locked; and even peers applied for entrance in vain. At an hour and a half after midnight, the second reading was proposed; a motion of adjournment was made; but the ministerial party, considering the proceedings of their opponents calculated merely for delay, effectually opposed it†. On this decision, Colonel Barré, in his accustomed strain of invective, reproached the house for its ductility. To such an extent was it carried, that he should not be surprised if, at the dictation of the minister, a majority of the members were to attempt coming in on their heads. Only let the cabinet adopt the most absurd, the most monstrous proposition, and it would be cordially received and eagerly forwarded. The most deformed and ungainly brats of the minister were sure to be, in that house, nurtured and reared up to maturity: like the Indians, who, when they found a monster of very extraordinary appearance, immediately adopted him as their supreme God, their Jupiter optimus maximus. In the instance of the Middlesex election, the doctrine propagated by the minister was pregnant with ruin and disgrace; but the zeal of his adherents increased in proportion, and they endeavoured to cover the ugliness of their idol by the intension of their idolatry. The present bill was evi-

* 268 to 140.

† 226 to 134.

dently a royal measure; and, as the proceedings of the Middlesex election had been speedily followed by a requisition of more than half a million to make good arrears in the civil list, of the origin of which no account had been given, so, from the unwonted appearance of members on the present occasion, he had no doubt that the effects of their attendance would soon be felt in new demands on the score of similar arrears. Amid this torrent of abuse, scarcely a grain of solid argument or true political wisdom could be found. The royal family, and even the existence of a King, were made topics of slander and ridicule. Having sapped the foundations of the constitution, imposed the yoke, and riveted the chains of the people, they were still anxious for this great accession of prerogative, although, by their violent act, they tore away the brightest jewel of His Majesty's diadem, the affections of his people. Observing that divisions in the royal line had frequently contributed to the preservation of liberty, they endeavoured to reduce the royal family to a state of complete subserviency. After much more eloquence, to prove that princes, like other mortals, must, at one time in their lives, have been wrapped in swaddling clothes, rocked in cradles, and amused with rattles and hobby-horses; that, however deified on the throne, they were once but boys, and frequently continued not only less than men, but more mischievous than unlucky boys; that, by calling them God's viceregents and vicars general on earth, they would not be rendered less, but more, tyrannical and despotic: he concluded with a characteristic observation on the lateness of the hour. "This," he said, "is the murderous season of the night; and you have, with propriety, pitched upon it for giving a vital stab to liberty, and for effecting a purpose much more hellish than the gunpowder treason. King, Lords, and Commons, may soon be replaced, if all blown up in the air; but a lost constitution who can restore? Men are the offspring of a single generation; but a system of wise laws is the work of ages."

After another failure in a motion for adjournment,

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11th Feb.

the minority left the house, and the bill was read a second time.

On the motion for going into a committee, Lord Folkestone, in a style very different from that of Colonel Barré, expressed his unalterable objections to the measures. He reviewed historically the claim of right advanced by the Crown, spoke, without illiberality or disrespect, of the recent marriage of the Duke of Cumberland, and traced the various instances in which Kings of England or their Heirs Apparent had married into private families, not only without disadvantage, but with positive benefit, to the nation. Among other instances, he cited Queen Elizabeth, who was not only like our present sovereign, "born and bred a Briton," but whose mother was the daughter of a private man; and Queen Anne, who, when she told her parliament that her heart was entirely British, never had it urged, as a disparagement to her, that her mother was not of royal extraction. The principle upon which the bill was founded might with propriety be instilled into the ears of Don Carlos, or a Don Ferdinand; and their nation of slaves might perhaps hear it with assent and commendation; but an English heart would not relish such doctrines; and a truly English ear it would offend. In conclusion, his lordship said, "I object to the declaratory part of this bill, partly as assuming a new and unheard-of prerogative, partly as injurious (at least by inference and insinuation) to the people, and partly as it is false. I object to the directory part, as infringing, upon insufficient grounds, natural liberty in the persons of every one of the royal family. I object to the remedial, as investing with despotic powers those who are most likely, because most liable, to be tempted to abuse them; as inefficacious, where efficacy is, if at all, most requisite, and as contrary to the laws of God: and I object to the vindicatory part, as arming unnecessarily the subject against those who are most nearly connected with him, merely because they are so connected."

In this long debate, no less than twenty-eight speeches are reported to have been made; but none of

them are recorded, save this of Lord Folkestone, which, like that of Colonel Barré, seems to have been sent to the press by the individual who made it, or at least under his direction. The speeches in support of the bill were sixteen in number, and among those who delivered them is the name of Mr. Burke. The majority in its favour was very great*.

Several debates arose in the committee. A proposal to limit the duration of the law to the term of three years, after the decease of the King, was negatived only by a small majority†. A few amendments made in the clauses were assented to by the Lords; and, not without a division‡, the bill was read a third time and passed. 28th Feb.

In closing the session, the King expressed his satisfaction at the temper and prudence with which the deliberations had been conducted; thanked parliament for the additional security provided for the honour and welfare of his family, and requested the members to use their best endeavours in cultivating and improving a spirit of harmony and confidence in all ranks of the people. 10th June. Close of the session.

The affairs of government were now conducted with more regularity, and a greater appearance of concord and firmness, than had been hitherto experienced since the first resignation of Mr. Pitt. The minister, by the suavity of his manners, attached many friends, and tranquillized many opponents; while the increasing prosperity of the nation enabled him with confidence to hold out the agreeable prospect of a reduction of the national debt. The city patriots, divided, enfeebled, and reduced both in numbers and popularity, could no longer give uneasiness to the court or agitate the people. Strength of administration.

* 300 to 64.

† 150 to 132.

‡ 168 to 115. Lord Chatham was prevented by ill health from attending in the house; but, in a letter to the Earl of Shelburne, he termed the doctrine of the bill new-fangled and impudent, and the powers given, wanton and tyrannical; but yet, he expressed surprise that a public, which slept so quietly upon the violation of elector's rights and the tyranny of the House of Commons, should awake into spirit and activity about abridging the facility of princely nuptials. It was straining at a gnat, after swallowing a camel. Correspondence, vol. iv. p. 203.

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Misfortunes
in the Royal
Family.8th Feb.
Death of
the Princess
Dowager of
Wales.Revolution
in Denmark.

But when the course of public affairs no longer presented motives of disquiet, the King suffered severe afflictions in his own family. He considered his dignity injured by the marriage of his brothers, and found himself compelled to testify disapprobation by severity, and apply to the legislature for protection against the recurrence of similar acts. He had the misfortune, early in this year, to lose his surviving parent, whom he loved and honoured with all the ardour and reverence becoming the filial character. The slanders with which this amiable princess was assailed during the latter part of her life excited only a virtuous indignation in the King against her factious calumniators, and increased his affection for her; as he considered her ease and happiness a sacrifice to the turbulence of those whose principal enmity was levelled at the proceedings of his government. Her death was sudden, and took place in the fifty-fourth year of her age

An event which occurred in another part of the world, affected the King in a most sensible manner, as the honour of his sister was involved in suspicion, and she was far removed from the sphere of his protection, and from the still greater blessing of those equitable tribunals, where every one, without protection, may defy oppression, and, fortified with conscious innocence, surmount the efforts of malicious confederacy. The marriage of the Princess Caroline Matilda with Christian VII. King of Denmark, was hailed as an event which promised to strengthen the Protestant interest, and produce commercial benefits to the British nation: in every personal view it was ominous and inauspicious, being one of those alliances in which neither similarity of disposition, nor any other requisites, were found to ensure felicity. Christian, contemptible for his imbecility and credulity, abandoned himself to irregularities of every kind, too puerile, effeminate, and dissolute for commemoration*. Among his favourites was Struensee, a man of obscure birth, but no inconsiderable talent; he was bred a physician; and, uniting with his medical acquirements some know-

* See Gibbon's *Posthumous Works*, vol. i. p. 445.

ledge of the civil law, he obtained rapid promotion at the court of Copenhagen, and was raised to the office of prime minister. His principal coadjutor was Brandt, a youth of noble birth and conspicuous courage, but inferior in talents to Struensee. The Queen Dowager of Denmark, Julia Maria, entertained a dislike against her daughter-in-law, arising principally from her wish to direct the reins of government and secure the succession to the crown to her younger son, Prince Frederick; in both which objects she considered Matilda a principal obstacle. The mental and corporeal weakness of the King rendered him abjectly passive; and it became the point of contest whether the Queen Consort or the Queen Mother should govern the kingdom in his name. The emissaries of Julia Maria exerted every artifice to prejudice the people against the young Queen, and succeeded in exciting jealousies and suspicions of the most odious nature. The favour enjoyed by Struensee was a source of dissatisfaction to many of the courtiers who strengthened the opposing party: Struensee's own imprudence, and the unsuspecting disposition of Matilda, afforded great advantages; and at length a conspiracy was formed for seizing her, Struensee, Brandt, and all their adherents. This project was executed after a grand masked ball at the royal palace. Struensee and Brandt, precipitated in a moment from the summit of power, were cast into prison, loaded with fetters, and finally, after undergoing great indignities, yielded up their lives on a scaffold.

15th and
16th Jan.

The unfortunate Queen, having performed the tenderest of maternal duties, was retired to rest, when, at five o'clock in the morning, she was awaked by a female attendant, who presented to her the King's order to remove for a few days to one of the royal palaces in the country. The Queen, comprehending at once the nature and extent of her misfortune, rushed from her bed, and sought the presence of her husband; at the sight of Count Rantzau, one of her enemies, in the antichamber, she recollected the necessity of attending to her dress, which she had totally forgotten,

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and retired to her chamber to remedy the indecorum ; but when she again attempted to go out, found her passage impeded by an officer, placed by Rantzau for that purpose. She overcame this obstacle, as well as the impediment of two soldiers, who crossed their firelocks at the door of the antichamber ; but when, with great difficulty, she reached the King's apartment, he had been removed to another part of the palace. This precaution the conspirators adopted from fear of the Queen's influence ; the King was, with great difficulty, prevailed on to sanction their measures ; a moment's interview would have frustrated all their plans, and rolled back the stream of ruin on themselves. Matilda's misfortune was now complete ; she was surrounded by enemies, who, seeing her entirely in their power, treated her with sarcastic insolence ; she was driven with the utmost rapidity to the castle of Cronsburgh, distant about twenty-four miles from Copenhagen, and there confined.

After the execution of Struensee and Brandt, the Queen Dowager's party showed a disposition to proceed to similar extremities against Matilda ; but they were deterred by the resolute interference of George III. Articles were undoubtedly exhibited against her, and examinations taken ; but to what they amounted cannot at present be known. The common report was, that the articles supposed to be proved were sent to London, and submitted to the examination of the most eminent civilians, who, although consulted separately, unanimously declared, that the evidence, far from amounting to legal conviction, did not sanction a presumption of guilt ; and they added, they did not only refuse credit to the facts, as lawyers, but were obliged to disbelieve them as men.

This contemptible triumph over a depraved and debilitated monarch, and an artless and unsuspecting queen, is called the Revolution in Denmark. The powerful and spirited interposition of the British Crown procured the Queen's release in about four months after her confinement in the fortress of Cronsburgh. She was conveyed, under the escort of a British squa-

May.

dron, to Stade, in the Hanoverian dominions, and was afterward removed to the castle of Zell, where the liberality of the King, her brother, provided her a becoming household, and where she lived in a state of honourable retirement, till a premature death terminated her days, at the age of twenty-four*.

* 10th May, 1774. In the preceding account, I have principally consulted *Wrazall's Memoirs of the Courts of Berlin, Dresden, Warsaw, and Vienna, in the years 1777, 1778, and 1779, vol. i. letter 2.* The following account of the unfortunate Queen's removal and subsequent conduct, given by Mr. Coxe, in his *Travels in Poland, &c. book ix. chap. 1,* is sufficiently interesting to suspend for a moment the strict duty of the historian, and gratify the reader by an affecting view of suffering majesty. "During her confinement (at Cronsburgh), she inhabited the governor's apartment, and had permission to walk upon the side-batteries, or upon the leads of the tower. She was uncertain of the fate that awaited her, and had great reason to apprehend that the party which had occasioned her arrest meditated still more violent measures. When the English minister at Copenhagen brought an order for her enlargement, which he had obtained by his spirited conduct, she was so surprised with the unexpected intelligence, that she instantly burst into a flood of tears, embraced him in a transport of joy, and called him her deliverer. After a short conference, the minister proposed that her Majesty should immediately embark on board of a ship that was waiting to carry her from a kingdom in which she had experienced such a train of misfortunes. But, however anxious she was to depart, one circumstance checked the excess of her joy: a few months before her imprisonment, she had been delivered of a princess, whom she suckled herself. The rearing of this child had been her only comfort; and she had conceived a more than parental attachment to it, from its having been the constant companion of her misery. The infant was at that period afflicted with the measles; and, having nursed it with unceasing solicitude, she was desirous of continuing her attention and care. All these circumstances had so endeared the child to her, rendered more susceptible of tenderness in a prison than in a court, that, when an order for detaining the young princess was intimated to her, she testified the strongest emotions of grief, and could not for some time be prevailed upon to bid a final adieu. At length, after bestowing repeated caresses upon this darling object of her affection, she retired to the vessel in an agony of despair. She remained upon deck, her eyes immovably directed toward the palace of Cronsburgh, which contained her child, that had been her only comfort, until darkness intercepted her view. The vessel having made but little way during the night, at day-break she observed, with fond satisfaction, that the palace was still visible, and could not be persuaded to enter the cabin as long as she could discover the faintest glimpse of the battlements. *Queen Matilda,*" the same elegant author continues, "was naturally of a lively disposition, until her misfortunes brought on a settled melancholy, which preyed upon her mind. In company, she endeavoured to dissemble her sorrows and assume a cheerfulness to which her heart was a stranger. She became extremely fond of solitude; and, when alone, indulged her grief in the most bitter lamentations. She retained to her last moments the most unaffected attachment to her children in Denmark: with all the anxiety of a parent, she made repeated inquiries after them; and was delighted with receiving the minutest accounts of their health, amusements, and education. Having obtained their portraits from Copenhagen, she placed them in her most retired apartment, often apostrophized them as if they were present, and addressed them in the tenderest manner."

CHAPTER THE TWENTIETH.

1770—1774.

Official changes.—Affairs of India.—Causes of mismanagement.—Loss of the Supervisors.—Famine in India.—Monopoly.—Extreme distress, and prodigious mortality.—Retention of the sums stipulated by treaties.—Effect of these events in England.—Impotence of the Company.—Difficulties in regulating their transactions.—Their improvidence.—Select committee appointed in the House of Commons.—Increasing distress of the Company.—They negotiate a loan.—Appoint Supervisors.—Notice of their affairs in a speech from the Throne.—Secret committee appointed.—Select committee continued.—First report of secret committee.—Debate on the motion for a bill to prevent sending out supervisors.—Proceedings of the Directors.—Their petition against the bill.—Burke's speech.—the bill passes the House of Commons.—Opposed in the Lords.—Passed.—Dividends reduced.—Application to Parliament for a loan.—Restrictions on the Company.—Leave granted to export tea, duty free, to America.—General regulations.—Opposition to these measures.—Attack on Lord Clive.—His defence.—Renewed attack.—Motion of General Burgoyne.—Charge against Lord Clive relative to the deposition of Surajah Dowlah.—His defence.—Exculpatory resolution.—Continued rancour against him.—He is ably defended by Wedderburne.—His death.—Contest with the Black Carribs of St. Vincent's.—Early history of the island.—Distinction between Red and Black Carribs.—The French obtain a settlement.—The island ceded to Great Britain.—Proceedings of government.—Conduct of the Carribs.—Mr. Young's memorial.—Survey ordered.—Proceedings of the commissioners.—Hostility of the Black

Carribs.—Their further violences.—Artifices of the French. Alarms and remonstrances of the planters.—Efforts of the lieutenant-governor.—Orders of government.—Increasing influence of the Carribs.—Representations of the planters to the King.—Deputation of the Carribs to Grenada.—Interview between the British Commissioners and the Carribs.—Treachery of the French.—Remonstrances from the island.—Hostile operations against the Carribs.—Discussions in the House of Commons.—Witnesses examined. Mr. Townshend's motions.—Termination of the contest.—Increase of pay of captains in the navy.—Promotion of military officers.—Case of Colonel Barré.—Bill for relief of dissenters rejected.

A FEW official changes which took place about this period, although they did not materially affect the state of the administration, tended, on the whole, to increase its strength. The Earl of Dartmouth, quitting the ranks of opposition, became secretary of state for the American department, and a lord of trade; Lord Hillsborough having resigned both those places, and received promotion to an English earldom. Lord Townshend, being made master-general of the ordnance, quitted the government of Ireland, which was conferred on the Earl of Harcourt. On the death of the Earl of Albemarle, General Conway obtained the government of Jersey. Sir Jeffery Amherst was made a privy-counsellor, Lord Stormont was sent as ambassador extraordinary to the Court of Versailles, Mr. Jenkinson was appointed a joint vice-treasurer of Ireland, and, in his stead, Mr. Fox was made a lord of the treasury.

The affairs of India now again claimed the attention of the public, and the interference of the legislature: the brilliant prospect exhibited in 1765 was over-cast: the accounts from that country presented nothing but rapine, tyranny, and misery, while the finances of the Company seemed irreparably deranged, and their trade almost stagnant.

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1770.
Official
changes.

Affairs of
India.

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 1770.
Causes of
mismanage-
ment.

The remoteness of the court of directors from the country subjected to their government facilitated abuses, and rendered their commands contemptible and unavailing. Men who became rich by disobeying the orders of their employers, and by a disregard of the ordinary dictates of justice, returned elated with their acquisitions, and not only defied punishment, but their clamours against others, who had shared in or impeded their success, rapidly augmented the wide-spreading and well-founded odium which prevailed against the administration in India.

 Loss of the
Supervisors.

Fortune also combined against the Company: the ship in which the supervisors sailed, from whose exertions highly beneficial effects were expected, was lost, and no certain accounts ever arrived of the time or manner of the catastrophe: thus, for a time, abuses were suffered to remain uncontrolled, because the operation of the measure intended for suppressing them was suspended; and, while the fate of the former supervisors was uncertain, a new appointment could not, with propriety, be made.

 Famine in
India.

In the year which succeeded the improvident and ruinous war with Hyder Ally, a great failure was occasioned in the crops of rice, by the uncommon dryness of the season. Notwithstanding the strict prohibitions of the court of directors against the interference of their servants in the inland trade, this opportunity was eagerly seized by interested and unprincipled individuals to enhance the public misery, and accumulate immense fortunes from the groans of famine and despair. When the state of the season made it apparent that the crop of rice would be generally defective, the English capitalists became eager purchasers; and such was the effect of their pernicious industry, that the natives, before they apprehended the extent of these combinations, were already exposed to the pressure of distress, and complained to the nabob that the English had engrossed all the rice. A traffic of unexampled iniquity now began; rice, which had been purchased at a hundred and twenty or a

Monopoly.

hundred and forty seers* for a rupee, was re-delivered to black merchants at the rate of fifteen seers for a rupee, an extortion sufficient to reduce the inhabitants of India, whose chief food is rice, to utter despair; when their distress was increased by the burning of several granaries in which the black merchants had deposited their purchases. The nabob and great men of the country having exhausted their stores in benevolent donations to the poor, and the fields no longer affording the means of subsistence, the cities were thronged with starving multitudes, who, in the agonies of death, implored a termination of those miseries from which they were not permitted to hope relief. Thousands died daily in the streets; the air was infected with the unwholesome exhalation; one hundred men were constantly employed on the Company's account in Calcutta, with sledges and other vehicles, to remove the dead, and throw them into the Ganges. Unusual numbers of dogs, jackalls, and vultures flocked to the scene of desolation, and by devouring the human carcasses, added inconceivably to the general horrors of the spectacle. The Europeans, who no longer possessed any great quantity of rice, could not effectually relieve the miserable Gentoos, and were themselves severe sufferers by this unexpected effect of their iniquitous monopoly: the river being filled with human bodies, fish was no longer considered wholesome food; hogs, geese, and ducks, feeding also on the dead, mutton became the only innoxious aliment, and even this, from the nature of the season, was poor and scarce. Thus were the miserable natives harassed and destroyed, until means could be adopted for facilitating their subsistence till the next harvest; and thus, by the act of interested individuals, transgressing no less the orders of their employers than the laws of humanity, was an unmerited reproach entailed on the British name. The Company, far from being benefitted, was irreparably injured by these iniquities,

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1770.

April and
May.

Extreme dis-
tress of the
natives.

Prodigious
mortality.

* A seer is the fortieth part of a maund; a maund an undetermined quantity; in Bengal it is from 72 to 80 pounds; a seer may therefore be estimated about two pounds.

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1770.

Retention of
the sums
stipulated by
treaties.28th May,
1770.Effect of
these events
in England.Impotency of
the Com-
pany.

which tended only to the aggrandizement of speculators, who acquired unlimited wealth, while the coffers of the directors remained empty, and their best hopes were frustrated*.

No spirited or general measure was attempted for the restoration of order to government and plenty to finance; but petty resumptions, and violations of the treaty of 1765, were considered as the means of repairing the deficiency which threatened ruin. With this view, orders were issued by the select committee for their resident to withhold at least thirty lacks from the tribute and other allowances, so that the receipts might bear some proportion to the disbursements†.

It was not possible for the British nation to behold this progress of iniquity and calamity without sentiments of anxiety and terror. The East India company was no longer a firm of merchants, trading on a private capital to a distant shore; the possessions in India were not simply beneficial appendages connected with the empire: but such was the intermixture of their revenues with the public finance, such the intimate intertexture of their commerce with the property and welfare of the state, such the union of interests and co-existence of the Company with government, that its ruin was regarded as portending downfall to the whole edifice of the British empire‡.

The Company could not, by themselves, or the utmost exercise of any authorities with which they were invested, remedy the growing evils. They were, in fact, without importance in affairs over which they nominally presided. Radical defects in their very institution; their distance from the scene of action; their being individually called from narrow and confined occupations to the extensive field of political

* Account of the late dreadful Famine in India.—Transactions in India, chap. v.

† Bengal Select Consultations. It is to be observed, that, on the death of Najim ul Dowlah (8th May, 1766), the allowance to the nabob was reduced from 55 lacks to 41 lacks, 81,131 rupees a year.

‡ The Right, Interest, and Duty of Government, as concerned in the Affairs of the East Indies, by Governor Pownall, p. 4.

management; their fugitive authority, the duration of which was merely sufficient for the communication of orders; and their want of acquaintance with the peculiar circumstances of the regions committed to their superintendence, rendered them liable to be deceived, diminished their importance, and frequently sanctioned a disregard of their commands. It too often happened that a seat in the court of directors was solicited merely as a source of patronage, as the means of providing for relations and dependants; and while these motives were easily discernible, the behests of such masters, delivered in pompous diction, and with the insolence of despotic power, met with little regard from those to whom they were addressed, and who, in fact, only obeyed them when they accorded with their own views. Those who returned enriched from India, and obtained seats at the board, made use of their authority in procuring their own immunity, and in protecting and supporting the friends whom they had left employed in the attainment of a surreptitious and exorbitant fortune*.

The present state of the Company was a difficult problem in government: their charters guarantied both their authorities and possessions; but it was obvious that neither such possessions nor such authorities were in view when the charters were granted; nor were they compatible with the nature of government, or supported by any precedent in ancient or modern history. On general principle, their possessions, in the exclusive sense, were not tenable†; yet, as they were gradually acquired, and the claims of the Company were sanctioned by official acts of state‡, any attempt to disturb them could not fail of being regarded with jealousy and apprehension.

But the time was now arrived when the active ex-

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1772.

Difficulties
in regulating
their transac-
tions.

Improvi-
dence of the
Company.

* History and Management of the East India Company, chap. vi.

† In the year 1757, the attorney and solicitor general, Messrs. Pratt and Yorke, united in opinion, that it was not warranted by precedent, nor agreeable to sound policy, nor to the tenor of the charters which had been laid before them, to make a general grant, not only of past but of future contingent conquests, made upon any power, European or Indian, to a trading company. Governor Pownall's pamphlet above quoted, p. 27.

‡ Particularly during the late treaty of peace at Paris.

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ertion of government became necessary. Malversation had grown to a most awful extent: the Company, with thoughtless prodigality, plunged into unlimited expenses; they disbursed, for fortifications alone, £ 3,728,552*; and, although incapable of performing their existing engagements, declared very high dividends; while the factions which rent the India House rather portended a perpetuation of distress, through anarchy, than an extrication from difficulty, by vigilance, prudence, and perseverance.

30th March.
Select committee appointed in the House of Commons.

In the late session, a bill was proposed for regulating the servants and court of judicature of the East India Company. This measure originated in the India House; the motion was made by Mr. Sullivan, deputy-chairman of the court of directors, who stated, that the bad prospect of affairs in India was occasioned by the want of power in the directors to punish their servants for disobedience or mal-practices. The enormities complained of, he said, arose from the solecism in politics, that the governors of a country were allowed to act as merchants, which gave birth to an odious and destructive monopoly. The bill, after some opposition, was brought in, but did not pass; but as one of the great objections against it was the want of due information, a select committee of thirty-one members was appointed†, on the motion of Colonel Burgoyne, to inquire into the nature, state, and condition of the East India Company, and of the British affairs in the East Indies, and this was generally termed "the select committee." In six weeks they presented two reports, laboriously and carefully compiled, but not sufficient to enable the House to propose any useful measures before the prorogation.

13th April.

During the recess of parliament, the distress of the

* First Report of Select Committee. Reports, vol. iv. p. 30.

† The committee consisted of the following persons: Colonel Burgoyne, Sir William Meredith, Sir George Savile, Lord George Germaine, Rose Fuller, F. Vane, Colonel Barré, the Attorney and Solicitor General, Lord Howe, Robert Sutton, Thomas Pitt, Welbore Ellis, Sir Gilbert Elliot, George Rice Pultney, C. J. Fox, Cornwall, Lord Folkstone, General Conway, Hotham, H. Ongley, G. Johnstone, Alderman Trecothick, Edward Bacon, A. Curzon, Sir John Turner, Captain Phipps, Mr. Gregory, Lord Clive, and Mr. Strachey: any seven to be a committee.

Company was considerably augmented, and inconveniences resulting from misconduct became pressing, and increased in an alarming degree. The treasury was empty, and accepted bills, to an amount exceeding a million sterling, were nearly payable; the Company was indebted to the Bank for cash advanced; to the revenue for Custom-house duties; and to the treasury for the annual stipulated payment, as well as on an agreement respecting an indemnification on a sale of teas, which was attended with great loss*. They were beset with these and many other demands, while the intelligence from India presented no consolatory prospects†.

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1772
Increasing
distress of the
Company.

Distracted with internal dissensions, and alarmed at the disposition manifested by government to interfere decisively in the arrangement of their affairs, fear and jealousy were conspicuous in all their proceedings. They were obliged to negotiate with the ministry for a loan to answer their immediate exigencies; yet, as if anxious to show an independence in authority which they no longer possessed the means of retaining, they rashly proceeded to nominate a fresh committee of supervisors for India‡.

They nego-
tiate a loan.

The first lord of the treasury received their application for a loan with reserve, and referred them to parliament, the meeting of which being intended for an early day, no measures were pursued for giving effect to the vote for new supervisors.

23rd Oct.
Appoint
supervisors.

In his speech from the throne, on opening the session, the King said, "It is impossible that I can look with indifference upon whatever concerns either the commerce and revenue of the kingdom at large, or the private rights and interests of considerable numbers among my people; neither can I be insensible how materially every one of these great objects

26th Nov.
Notice of
their affairs
in the King's
speech.

* Annual Register 1773, p. 67. History of Lord North's Administration, p. 85.

† They suffered a severe loss by the blowing up of a powder magazine, at Trichinopoly, which occasioned a grievous and extensive destruction of lives and property.

‡ The persons nominated were Lieutenant General Monckton, George Cum-
ing, William Devaynes, Peter Lascelles, Daniel Wier, and Edward Wheeler,
Esquires.

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“ must be interested in the maintenance of the credit
“ and prosperity of the East India Company. When,
“ therefore, I received information of the difficul-
“ ties in which that Company appear to be involved, I
“ determined to give you an early opportunity of in-
“ forming yourselves fully of the true state of their
“ affairs; and of making such provisions for the
“ common benefit and security of all the various in-
“ terests concerned, as you shall find best adapted to
“ the exigencies of the case.”

In the debate on the address, the subject came immediately under discussion. Dr. Burrel, who seconded the motion, adverting to the passage in the King's speech concerning India, said, the embarrassment of the Company's affairs was no secret here or abroad; it was a sufficient ground for domestic alarm and foreign satisfaction. It was a business which would demand the utmost coolness and candour in a dispassionate investigation, and call for their firmness in a decision. Whether a charter, even if unbroken, was so sacred that the state must fall rather than infringe it, was a question which he would not suppose they could ever be called upon to decide; but it would be their duty to inquire, how a trade so circumstanced should fail? How territorial revenues, nearly equal to our annual income, had been squandered? Whether folly or misfortune, indiscretion or crime, had brought the Company into such a state? Disclaiming all intention to insinuate criminality against any man, considering it a matter totally unimportant whether men of one or of another description should ascend the thrones of Leadenhall Street, he recommended the affair to attention on account solely of its great importance in politics, finance, and commerce. However impolitic, he said, it would be an honest wish that it had never been in our power to use the words, “ our “ Indian empire.” Great and powerful was Spain before she waded through blood to the sovereignty of Mexico and Peru; happy perhaps had it been, and certainly honourable, if the military achievements of Britain had never stained the archives of Delhi. Nor

would the Company have been in a worse situation, if the wealth of Bengal had never been wrung from the hands of its innocent possessors.

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The address having been voted without a division, Lord North immediately moved for a secret committee of thirteen members, chosen by ballot, to take into consideration the affairs of the Company, which was agreed to without a division*, although not without some debate. This committee was furnished with full powers, and particularly instructed to take into consideration the measure of sending out supervisors. The select committee of the preceding year, some members of which thought their labours too slightly regarded by the new nomination, was also revived.

Secret committee appointed.

30th Nov.

Select committee continued.

From the labours of these two committees, Lord North, who was not profoundly versed in the affairs of India, hoped to derive such information as would enable him to fix some principle for the guidance of the Company's affairs, and for enabling the government to satisfy the country. A consultation was held, at his house, of the chief ministerial members, at which the attorney-general is said to have delivered an opinion that parliament should confiscate to the public all the sums acquired by the English public servants in India under the denomination of presents from the princes of that country, as having been obtained by the military force of Great Britain, and consequently belonging to the state. If so violent a proposition was really made, it could not be agreeable to the feelings or judgment of Lord North: it was not adopted; but the spirit by which it was dictated appears to have governed many in the subsequent proceedings†.

In seven days after their appointment, and before this meeting was held, the secret committee presented a report, recommending a prohibition of the proposed measure of sending out supervisors. Mr. Harley, the

First report of the secret committee.

* The members were Alderman Harley, chairman (whose great uncle, the first earl of Oxford, was an arbitrator chosen to adjust the interests of the two East India Companies, when they were united in 1701), Lord Frederick Campbell, Lord Palmerston, Messrs. Rigby, Stanley, Jenkinson, Jackson, Fitzpatrick, Burrell, Ryder, Walpole, Eames, and Gilbert.

† Sir John Malcolm's Life of Lord Clive, vol. iii. p. 321.

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1772.
7th Dec.
Debate on
the motion
for a bill to
prevent the
sending out
supervisors.

chairman of the committee, immediately moved to bring in the bill ; the rapidity with which the report was prepared, and the unexpected manner in which it was introduced, did not escape animadversion. Several directors, who were members, contended that the report was unconstitutional and unnecessary, as the expense attending the commission was not yet ascertained, and the directors had resolved to suspend their proceeding until the determination of parliament should be known. Lord North, reasoning from analogy, and a comparison of the charges of the late commission of supervisorship with the present, inferred that the expense could not be less than £120,000 a year ; and Mr. Wedderburne shewed the futility of the supposed promise of the court of directors. It was not in their power, he said, to keep their engagement ; they were inferior to a general court, which, during a recess of parliament, might be called, a ship ordered, and the supervisors many leagues at sea, before the houses were again assembled : in such a case, not the promise of the directors, not even the opinion of the two Houses, nothing but an act of parliament, could be a sufficient guaranty. Governor Johnstone, in a long and able speech, defended the Company ; and Mr. Burke treated the proposed measure as an invasion of their charter—a direct infringement of the law of the land. In ridicule of the secret committee, he said, “ Here is a committee appointed last year ; a fair and open committee which has produced nothing. This was a lawful wife publicly avowed ; but, finding her barren, they have taken a neat little snug one, which they call a secret committee : and this is her first-born. Indeed, from the singular expedition of this extraordinary delivery, I am apt to think she was pregnant before wedlock.” Continuing in the same vein of pleasantry, intermixed with more solid argument, he observed, “ If we suffer this bill to pass, we shall, in fact, become the East India Company ; and you, Sir, will be seated in that chair, with a little hammer, by an inch of candle. The treasury bench will be the buyers ; and, on this side, we shall be the sellers.

“ The senate will become an auction-room, and the “ speaker an auctioneer !” The motion was, however, adopted* ; and, in three days afterward, the bill was introduced.

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1772.
10th Dec.

The directors were not so depressed by the tide of untoward circumstances, or so terrified by the thunders of parliamentary declamation, as to survey these proceedings with indifference. On the appointment of the secret committee, a general court resolved to petition against the right which was claimed by parliament of inspecting their books ; but the rapid proceeding of the committee having frustrated that intention, they were now heard by counsel against the bill†, and witnesses were examined in support of their petition. It did not appear entitled to much attention ; being feebly composed, and signed by no more than fourteen proprietors of stock. They urged, as their grand point, that the malversation in India being enormous in its amount and extent, the saving which might accrue to the Company, by a commission of honest and able men, would be so great as to render the expense of trivial importance ; but they failed in proving that the Company possessed sufficient authority over their servants in India to restrain those abuses which by long forbearance were grown inveterate. The increase of these mal-practices was clearly demonstrated ; and the odious means used to oppress the natives, without benefit to the company, fully displayed : but it was not advanced that any powers delegated by the Company alone could be sufficient to remedy the evil, which was more likely to infect the supervisors themselves than to be removed by their exertions. Mr. Burke spoke with his accustomed wit and eloquence ; and displayed (to use the words of an anonymous author) all those rare qualities of the head and heart with which he was so eminently gifted‡. He inveighed, with severity, against the conduct of ministers, who, since the year 1767, had been receiving

Proceedings
of the di-
rectors.
1st Dec.

14th and
18th.
Their peti-
tion against
the bill.

Mr. Burke's
speech.

* 114 to 45.

† Mr. Impey and Mr. Adair were heard.

‡ History of Lord North's Administration, p. 92.

CAHP.
X X.

1772.

Bill passes
the Com-
mons.

from the East India Company four hundred thousand pounds per annum, and yet conniving at their notorious mal-administration, for the purpose of subjecting them so entirely to their own mercy, that they might plunder their property and invade their chartered rights without fear or scruple. Alluding to the dilatoriness of the select, and the extraordinary dispatch of the secret committee, he said, "One has been so slow in its motions that the Company have given up, long since, all hopes of redress from them; and the other has proceeded altogether as rapidly; so that no one knows where they will stop. Like the fly of a jack, the secret committee has gone round, hey go mad! the select committee has moved like the ponderous lead at the other end; and in that manner have they roasted the India Company." He likewise reprobated the intended measure, as affording to government places, pensions, and expectancies, too powerful for the small remains of patriotism and public spirit in our island, and as a first step toward a total invasion of the Company's territories in Bengal. Supposing the motives good, yet it was dangerous for the example; as unconstitutional acts, founded on unconstitutional motives, would spring from unconstitutional acts founded on constitutional motives. Aristotle, an author more spoken of than read, declared that acts of this nature had the most pernicious consequences, and accelerated the ruin of every state. The reasonableness and absolute necessity of the proposed restrictions were rendered by Lord Clive and other members too evident to be obscured by rhetorical ingenuity; and the motion for the third reading of the bill was carried by a majority exceeding five to one*.

Opposed in
the House
of Lords.23rd Dec.
Petition.

In the Upper House, it was principally opposed by the Duke of Richmond, who, as a proprietor of stock, was also conspicuous at the India House in resisting the measures of government. A petition was offered against the third reading, similar to that which was presented to the House of Commons, and

the same counsel heard, and evidence examined*. The debate was not distinguished by a great display of talent: the motion for the third reading was carried †, and a protest, not remarkable for argument or ingenuity, signed by five peers, was entered on the journals.

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1772.
Bill passed.
29th Dec.

During the recess, the court of directors adopted a measure which prudence and integrity ought to have suggested at an earlier period: they reduced their dividend to six per cent. This palliative, for it was no more, could not however restore order to their finances; and the court, feeling the necessity of an application to parliament for a loan, endeavoured first to learn from the minister the general plan he intended to propose for the mutual good of the public and of the Company. To the message which conveyed the request of information, Lord North declined any reply, and the general court was obliged to pass a vote, that application should be made to parliament for a loan not exceeding £1,500,000, for four years, at four per cent., with liberty to discharge the debt by payments of three hundred thousand pounds each.

Dividends
reduced.

12th Feb.
1773.

24th Feb.
Application
to parliament for a
loan.

In pursuance of this resolution, a petition was presented to parliament, proposing that the Company should not make a dividend of more than six per cent. until one-half of the proposed loan was discharged: that the surplus of the net profits arising in England

2nd March.
Petition.

* From the statements made to the house, it appeared that the net duties paid to government of £1,000,000 per annum, the indemnity upon tea, and the £400,000 paid to government, amounted in the whole to an annual sum little short of £2,000,000. That the Company lost by the indemnity agreement, since its commencement, at least £1,000,000, of which £700,000 was to be paid to government, and £300,000 to the purchasers. That 31,000,000 pounds of tea, sold in the last five years, produced a sum less by £100,000 than 21,000,000 pounds sold in the preceding five years: from which, it appeared, the Company suffered a total loss of £100,000 and 10,000,000 pounds of tea. That government had profited by the Company, within the last five years, £3,395,000; that is to say, £2,200,000, being the produce of five years and a half of the £400,000 per annum which the Company stipulated to pay, and £1,195,000 increase of the revenue on that branch, compared on a medium of the preceding five years. That the Company's whole receipt of dividend, during the same period, was short of £900,000, above six per cent., the lowest trading dividend in time of war; and on the whole, that the mercantile profits being on an average £464,000 per annum during the above period, they would afford a dividend of twelve and a half per cent., from whence it was evident that government reaped an advantage of £3,395,000, and the company of proprietary not a single shilling.

† Contents 26—non-contents 6.

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above that dividend, should be appropriated to the payment of the Company's bond debt, until it was reduced to a million and a half; and thenceforward the surplus profits should be equally divided between the public and the Company. It was further requested, that the Company should be released from the heavy penal interest incurred by non-payment of money due in consequence of the late acts for indemnities on teas, and also discharged from the annual payment of four hundred thousand pounds to the public, for the remainder of the five years specified in the agreement.

9th March.
Lord North's
motion.

In a committee of the whole House, Lord North, after exculpating government from many insinuations respecting the payment of four hundred thousand pounds a year, moved a series of resolutions, which, establishing the necessity of parliamentary assistance, and the propriety of a loan, ordered a supply of £1,400,000, with a proviso that due care should be taken to prevent the recurrence of similar exigencies.

23rd March.
Restrictions
on the Com-
pany.

The regulations intended to produce this effect were, a restriction from making a greater dividend than six per cent. till the loan should be repaid; from augmenting their dividend to a greater amount than seven per cent. till their bond debts should be reduced to a million and a half; and no larger dividend than eight per cent. was to be allowed, until a participation of profits between the public and the Company should take place; which participation was thus defined: after payment of the required loan, and the reduction of their bond debt to £1,500,000, three-fourths of the net surplus of the territorial revenues of the Company were to be paid into the exchequer, and the remaining one-fourth set apart as a fund for discharge of contingent exigencies. In the debate on the first day, Mr. Burke laid down, and attempted to prove some extraordinary propositions. That if the Company had even been brought before the House, it had been by force, fraud, and menaces. That, on the part of government, the treaty with the Company was iniquitous in every part. That, with respect to the territorial acquisition, not one lawyer with a rag of a

8th April.

gown upon his back, or a wig with one tie, had given his opinion that they vested in the Crown, and not in the Company. That the pretence of rectifying abuses and protecting the Company was made only with a design of fleecing them. That the French East India Company, under a government truly despotic, was in a better situation than that of England; the French government being, on this point, angelic when compared to ours: and that, in the present instance, the proceeding was an infringement upon chartered rights, which the spirit of Englishmen ought not to brook; a violation of the constitution, which might be paralleled, but could not be exceeded in the annals of any country, however despotic. Whatever ability might be displayed in supporting them, these violent propositions could not in form or effect be adopted. Mr. Grey Cooper displayed some of the conduct of the French King toward the East India Company, and wished that ours might only know what it was to be governed by mortals, like the English Sovereign and his ministers, instead of such angels as the Grand Monarque and his cabinet. Colonel Barré declared that his ingenious friend had been so rapid in his flight, that it was impossible to follow him with the eye. To the ministry, he said he loved them not; but, in this business, while they conducted themselves with propriety, and did not seek an augmentation of power or offices, of which they had enough already, he would go with them hand in hand.

Lord North afterward moved, that the Company should be permitted to export tea duty free to America; a permission deemed highly beneficial, as seventeen millions of pounds were then in the warehouses. Finally he proposed his great plan for regulating the Company's affairs, as well in India as in Europe; the outline of which was, that the court of directors should be elected for four years, six members annually, but none to hold their seats longer than four years: no person to vote at the election of directors who had not possessed his stock twelve months; the qualification,

26th April.
Leave
granted to
export tea
duty free to
America.

3rd May.
General re-
gulations.

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instead of five hundred pounds, to be one thousand*. That the jurisdiction of the mayor's court at Calcutta should be confined to small mercantile causes, to which alone it extended before the territorial acquisition; in lieu of this court, a new one was established, consisting of a chief justice and three puisne judges, appointed by the Crown; and a superiority was given to the presidency of Bengal over the other presidencies in India†.

Opposition
to these
measures.

28th May.

These resolutions gave rise to many animated debates, in which the rights of the Crown, the chartered privileges of the Company, the conduct of ministers, and the expediency of the proposed measures, were severely arraigned, and ably defended. The East India Company, the city of London, and the proprietors of stock exceeding five hundred pounds, but not amounting to a thousand, petitioned, and were heard by counsel‡, against the bill. The Company, by their counsel, even desired to withdraw their application for relief, declaring they would rather submit to temporary difficulties, than accept a loan on such severe conditions; but these efforts were unavailing; the bill framed in pursuance of the resolutions of the house was approved, and, on the third reading, passed by a large majority§, the blanks being filled up with the names of Warren Hastings, Esq., governor-general; and Lieutenant-general Clavering, the Honourable George Monson, Richard Barwell, and Philip Francis, Esqrs., as counsellors for the presidency of Bengal.

10th June.

June 10 to 19.
In the Lords.

In the House of Lords the Bill also met with strenuous opposition; petitions were presented, and the same counsel again heard; and when it passed,

* The intrigues and contrivances to gain, or rather fabricate, votes at elections, their motives and effects, are well displayed by Sir John Malcolm. *History of Lord Clive*, vol. ii. pp. 211, 238.

† The salaries of the judges were fixed at £8,000 to the chief justice, and £6,000 a-year to each of the others. The governor-general was allowed £25,000 a-year, and the members of the council £10,000 each.

‡ Mr. Mansfield and Mr. Adair.

§ 131 to 21. Many other discussions took place on clauses and proposed amendments.

two protests, signed by seven and by thirteen peers, were entered on the journals*.

In the course of the debates on India affairs, severe reflections were uttered against the character and conduct of Lord Clive, and attempts were made to ruin his fortune and reputation. It was his fate to suffer, not for his vices or errors, but for his virtues. His upright and honourable discharge of his painful duties, during his second government of Bengal, was at the root of all the persecutions which he afterward endured. The men whom he made his enemies, by a firm, yet temperate, exercise of authority, resolved, if they could not justify their own conduct, to embitter, to the utmost of their power, the feelings of the statesman who had disturbed them in the pursuit of unlawful gain. They had attempted to injure him in the courts at the India House, and the changes in public affairs now enabled them to attack him in a larger theatre, the British parliament†.

While the bill brought in by Mr. Sullivan was before the house, his Lordship, in a long and eloquent harangue, defended himself against the aspersions with which the press then teemed. His exculpation extended only to the transactions of his last government: he depicted, with force and truth, the felicities of his situation, and the total want of any motive to stimulate avarice or ambition, when, in a precarious state of health, he abandoned his home, his relations, and his ease, to visit a distant and insalubrious clime, on the invidious task of reformation. He stated the difficulties in which he was involved from the insincerity of the Court of Directors in wording his instructions; how easily he might have added to his fortune, by conniving at, and participating in, the abuses he was commissioned to restrain, or have consulted his own ease, by resigning himself to the indolence of despair. On the contrary, he had pursued

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1773.
Attack on
Lord Clive.

30th Mar.
1772.
His defence.

* The report of these proceedings is extremely imperfect in the printed debates; but I have been materially assisted by consulting the History of Lord North's Administration.

† Sir John Malcolm's Life of Lord Clive, vol. iii. p. 263.

an intricate path, beset with difficulties and dangers; the welfare of the Company required vigorous exertion, and he took the resolution of cleansing the Augean stable. "It was that conduct," he said, "which has occasioned the scurrility and abuse against me, with which the public papers have been filled ever since my return. That conduct occasioned these charges; but that conduct enables me now, in day of judgment, to look my judges in the face;—that conduct enables me now to lay my hand on my heart, and most solemnly declare to this House, to the gallery, and to the world at large, that I never, in a single instance, lost sight of what I thought the honour and true interest of my country and the Company; I was never guilty of any acts of violence or oppression, unless the bringing offenders to justice can be deemed so; an idea of extortion never entered my mind; I did not suffer those under me to commit any acts of violence or oppression: my influence was never employed for the advantage of any man, contrary to the strictest principles of honour and justice; and, far from acquiring personal benefit by the expedition, I return to England less opulent by many thousand pounds."

His Lordship then defended himself on the several specific charges of monopolies in cotton, diamonds, salt, beetle-nut, and tobacco; of frauds in the exchange and gold coinage, and of taking presents from Mir Jaffier. Of all these accusations he shewed the futility and want of foundation; and, particularly, as to the last, he proved, that instead of receiving money from the nabob for his own use, he converted a legacy, amounting to seventy thousand pounds, together with forty thousand more, which he prevailed on the nabob to bestow, to the purpose of establishing a military fund for the relief of invalid officers and soldiers, and the support of their widows.

But the most interesting part of Lord Clive's defence was that where he analyzed the state of India, and described those enormities which degraded the British name and impoverished the Company, while

individuals were suddenly enriched, and the natives grievously oppressed. The germ of the evil was truly and forcibly displayed in the animated portrait which he gave of a young adventurer first seeking the shores of Asia. "Let us for a moment," he said, "consider the education of a youth destined for India. The advantages arising from the Company's service are now generally known; and every man is desirous to get his son appointed a writer to Bengal; which is usually at the age of sixteen. His parents and relations represent to him the certainty of making a fortune, stimulating his ambition by reference to peers and commoners who have amassed great treasures in short periods. Thus are their principles early corrupted; and, as they generally go in considerable numbers, they mutually inflame their expectations to such a degree, in the course of the voyage, that, before their arrival, the period of return is fixed. Let us now view one of those writers arrived in Bengal, and not worth a groat. As soon as he lands, a banyan, possessed perhaps of one hundred thousand pounds, desires he may have the honour of serving this young gentleman at four shillings and sixpence per month. The Company has provided chambers for him, but they are not good enough; the banyan finds better. The young man, in walking about the town, observes that other writers, arrived only a year before him, live in splendid apartments, or have houses of their own, ride upon fine prancing Arabian horses, and in palanquins and chaises; that they keep seraglios, make entertainments, and treat with champaign and claret. When he reports his observations, the banyan assures him he may soon arrive at the same good fortune; furnishes him with money, and acquies over him absolute power. The advantages of the banyan advance with the rank of his master, who, in acquiring one fortune, generally spends three. But this is not the worst; he is in a state of dependence on the banyan, who commits acts of violence and oppression, under the pretended sanc-

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"tion and authority of the Company's servant. And
"hence arises the clamour against the English gentle-
"men in India."

Lord Clive, in conclusion, exhibited, in detail, all the advantages to be derived from the situation of the English in India; shewed the dangers which menaced their prosperity, and indicated the means of avoiding them; he displayed the utility of his own reforms, and demonstrated that a temperate pursuit of a similar system was alone requisite, to render the British empire in Asia permanent, honourable, and advantageous.

Reply.

A reply was made by Governor Johnstone, but the effect of Lord Clive's speech was not materially diminished; it was regarded as a complete exculpation, and a noble lesson of political wisdom. Still it was observed, that it was not framed to conciliate. His censures applied to the Courts of Directors and Proprietors, past and present, the citizens of London, the country gentlemen, the servants of the Company abroad, the secret and select committees, the opposition, the minister, and the ministry. He declared he would support government where he could do so with honour, and thus offended the opposition without gaining the minister*.

Renewed
attack on
Lord Clive.

The system of persecution against Lord Clive did not here terminate, but his last government was no longer the object of attack; it was thought proper to recur to a more distant period; to the deposition of Surajah Dowlah in 1757†.

30th March,
1773.

The examination of evidence before the select committee introduced the discussion; and the opponents of Lord Clive, seizing the opportunity, attempted to turn to his prejudice and disgrace those very circumstances of his life from which he derived the greatest honour.

8th April.
Third Report
of the Select
Committee.

General Burgoyne, on presenting the third report of the select committee, declared it contained an account of crimes shocking to human nature. He first moved some general propositions, affirming that all

* Sir John Malcolm's Life of Lord Clive, vol. iii. p. 329.

† See Smollett's continuation of Hume, vol. iv. p. 116.

acquisitions made under the influence of a military force, or by treaty with foreign powers, do of right belong to the state; that to appropriate them to private use is illegal; and that great sums of money had been obtained by such means from the sovereign princes in India. These resolutions were carried, though not without considerable opposition.

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On a subsequent day, General Burgoyne returned to the subject, and directed a motion personally against Lord Clive, which was supported by Sir William Meredith, and resisted by Mr. Wedderburne, who ably exposed the impropriety of accusing an individual of delinquency, on the bare report of a select committee. The motion was not then discussed on its merits, but it was ordered that evidence should be heard at the bar.

21st April.
General
Burgoyne's
motion;

When information had been thus obtained, General Burgoyne, after recapitulating the facts disclosed, said, he regarded the deposing of Surajah Dowlah, and the revolution in favour of Mir Jaffier, as the origin of all those evils which operated to the temporary distress, if not total destruction of the Company; he enlarged upon the perfidy employed to bring about that revolution; stated the fictitious treaty, forged in order to elude the payment promised to Omichund (a black merchant and confidant of Surajah Dowlah, whom Lord Clive and the select committee in India prevailed upon to join in a scheme to dethrone his master): exposed the conduct of Lord Clive, in causing Admiral Watson's name to be signed, contrary to the admiral's express inclination, to this treaty; and added, that the perfidy toward Omichund was of the blackest dye. He concluded with moving, that "Robert Lord Clive, "about the time of deposing Surajah Dowlah, nabob "of Bengal, and establishing Mir Jaffier on the "musnud, did, through the influence of powers with "which he was entrusted, obtain, under various authorities, sums amounting to two hundred and "thirty-four thousand pounds, and in so doing, abused "those powers, to the evil example of the servants of "the public." Some amendments were moved, and,

3d May;
and charge
against Lord
Clive.

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His defence.

in the debate, Lord Clive made a masterly defence of his conduct.

He investigated, with minuteness, the reports of the committees, so far as they applied to him ; and, in answer to the surmises attempted to be established, read irrefragable documents, proving the manner in which his conduct was viewed at the time, and by those who were best qualified to judge. They consisted of the nabob's letters to him, as president of the select committee, the committee's letter to the directors, and, finally, the letter of approbation from the directors to him. He shewed the remissness of former administrations in neglecting the affairs of the East India Company, and pointed out the personal malevolence which produced this untimely and unfounded crimination. "The directors," he said, "for two years past, either through ignorance or design, had kept the affairs of the Company a secret ; they had rioted at taverns, dissolved in dissipation and luxury, but entirely neglected their duty, employing a man to think for them, to whom they allowed four hundred pounds per annum ; hence many of their orders were so absurd and contradictory, that their own servants were almost justified in refusing obedience."

His lordship then exposed the invidious manner in which the committees pursued their inquiries, limiting them entirely to his conduct, instead of exploring subjects of general utility ; he was examined before them, he said, more like a sheep-stealer than a member of their own house. He vindicated the receipt of presents, as being at that time perfectly legal, and universally practised ; and proved that, if avarice had been his passion, he could have realized a fortune too great for a subject.

He entered into a detail of all the transactions in which he was engaged ; and after displaying the desperate situation of the Company's affairs, when it pleased God to make him the instrument of their delivery, related the circumstances of the fraud practised on Omichund. "We soon discovered," he said, "that Surajah Dowlah only waited for the departure of the

“ fleet to exterminate the English. But the nabob, like other treacherous men, was surrounded by persons of the same caste and disposition. Omichund, his confidential servant, told his master of an agreement made between the English and Monsieur Duprée to attack him, and received for that advice four lacks of rupees. Finding this to be the man in whom the nabob entirely trusted, we considered him as a most material engine in the intended revolution. We therefore made such an agreement as was necessary for the purpose, and entered into a treaty with him to satisfy his demands. When all things were prepared, and the evening of the event was appointed, Omichund applied to Mr. Watts, who was at the court of the nabob, insisting on thirty lacks of rupees, and five per cent. on all the treasure that should be found; threatening, unless this demand was immediately complied with, to disclose the plan to the nabob; and that Mr. Watts, with the two English gentlemen then at court, should be put to death before the morning. Mr. Watts immediately dispatched an express to me at the council. I did not hesitate in finding a stratagem to save their lives, and secure the success of the intended event. We prepared another treaty; this was called the red, the other the white treaty. It was signed by every one, except admiral Watson, and I should have considered myself sufficiently authorized to affix his name, by a conversation I had with him. His name was, however, subscribed by another person; whether in his presence or not, I cannot say; but I know he thought he had sufficient authority. This treaty was transmitted to Omichund, who did not suspect the stratagem; and success attended the project. The house, I am fully persuaded, will agree, that when the very existence of the Company was at stake, and the lives of these people so precariously situated, and so certain of being destroyed, it was true policy and justice to deceive so great a villain.” Lord Clive then read letters from admiral Watson and others, fully approving his conduct, and similar papers from the

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court of directors, who presented him with a sword richly adorned with diamonds, and, after highly extolling his proceedings, termed the elevation of Mir Jaffier, a glorious and profitable revolution. In closing this part of his defence, he said, "A late minister" (Lord Chatham), whose abilities have been an honour "to his country, and whom this house will ever revere, will, I am sure, come to your bar, and not only tell you how highly he thought of my services at the time, but also what his opinion is now."

He complained that after such certificates, and so merited, he should be brought before the house like a criminal, examined by the committee more like a sheep-stealer than one of their own members, and the very best parts of his conduct construed into crimes against the state. "I cannot say," he concluded, "that I either sit or rest easy, when I find that all I have in the world is confiscated, and no one will take my security for a shilling. These are dreadful apprehensions to remain under, and I cannot look upon myself but as a bankrupt. I have not anything left I can call my own, except my paternal fortune of five hundred pounds per annum, which has been in the family for ages. Upon this I am content to live; and perhaps I shall find more real content and happiness than in the trembling affluence of an unsettled fortune; but, if it should be the case, I have a conscious innocence that tells me my conduct is irreproachable. *Frangas non flectes*. They may take from me what I have; they may, as they think, make me poor, but I will be happy! I mean not this as my defence. My defence may be made at the bar; but before I sit down I address one request to the house, that, when they come to decide upon *my* honour, they will not forget their own."

Exculpatory
resolution.

Although he was not in the habit of public speaking, Lord Clive delivered himself, on this occasion, with great ability and dignity. When he had finished his defence, he quitted the house; a sentence of censure proposed against him was negatived, by a motion for the previous question; and at five o'clock in the morn-

ing, on the motion of Mr. Wedderburne, a resolution was passed unanimously, merely asserting the fact of Lord Clive having received the sum of two hundred and thirty-four thousand pounds, with the additional observation, that, at the same time, he rendered great and meritorious services to his country.

In a subsequent debate, Lord Clive recapitulated the topics contained in his speech of the last session, and exculpated himself from the charges, made through the medium of the press, on his conduct during his last government. After this, he intruded on the House no further, except to rectify a mis-statement of some facts, and then, such was the fury of party-spirit, that a member permitted himself to sneer at Lord Clive's former defence, by saying, "the noble Lord was a long speech-maker, and would, perhaps, offer another harangue of two hours and twenty minutes."

The defence of Lord Clive's conduct did not, however, rest on himself alone; Mr. Wedderburne, the solicitor-general, displayed an unusual portion of learning, logic, and practical good sense, in his behalf. He reproached the committees with having, instead of an open, liberal, and manly endeavour to bring forward beneficial regulations, restricted themselves to a narrow, contracted, invidious examination of the conduct of individuals. He justified the deposition of Surajah Dowlah, on the grounds of justice as well as of policy. Far from admitting that such a transaction was dishonourable to Britain, he claimed the admiration of the historian, who in future times should record, "that a revolution which acquired to the Company a dominion, larger, wealthier, and more populous than ever Athens possessed, or than Rome itself, when she had conquered the Italian states; larger than France, and in revenues superior to most of the powers of Europe: that in the career of such conquests, in the midst of such great events, so few actions were to be discovered by the most inquisitive examination (and a more prying one never was known) that reflect dishonour on individuals; none that tarnished the British name." He removed

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Continued
rancour
against Lord
Clive.

He is ably
defended by
Wedderburne.

every imputation of blame from the artifice used to circumvent the traitor Omichund, and appealed to the honour and gratitude of the nation, against an attempt to deprive an individual of the remuneration of actions, which had been the admiration of the world; the pride of Britain; the envy of Europe. In answer to the question, Where such oppressions and tyranny were to be found as were practised in Bengal? he said, "In the democratical tyranny of an Athenian mob, envious of every great and noble name, taking off one for his wealth, banishing another for his family, and a third for his fame. This detestable spirit occasioned real tyranny, and we are now following the example."

Mr. Thurlow, the attorney-general, was on the other side; but the exculpation of Lord Clive appears complete. He committed no illegal act toward his employers; he used no unnecessary cruelty toward those whom he conquered; nor did he, in the pursuit of wealth avail himself of the means which lay so abundantly before him to accumulate an enormous mass of riches: the fortune he possessed was undoubtedly ample; but few in his situation would have evinced so much self-denial, as to be satisfied with a first acquisition, when many years of subsequent service afforded opportunities and a pretence for immense additions. He stated to the select Committee, and it was never contradicted, that when he entered Muxadavad, under no kind of restraint, except that of his own conscience, he might have become too rich for a subject. On the contrary, from that hour to the present, although placed in the midst of great temptations, and in the unprecedented position of uniting within himself the civil and the military power, he had not, except his jaghire, benefited himself directly or indirectly to the value of a single shilling*.

* A writer, whose correctness and judgment are not unquestionable, intimates some unfair and uncandid conduct in Lord North, who, as he affirms, after patronizing and promising firmly to support the accusation, having in the mean time accomplished some political intrigue with Lord Clive, deserted the cause, spoke feebly in the debate, and gave no encouragement to his adherents. *Recollections*, &c. by John Nicholls, Esq., vol. ii. p. 201. But it did not escape the well-informed author of the *Annual Register*, that there were some extraordinary



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Death of
Lord Clive.

Although, throughout this inquiry, Lord Clive displayed the greatest firmness and magnanimity, his mind never recovered its proper bias. Wedded to glory, and pluming himself upon those actions which had elevated him to an unparalleled degree of fame, and unexampled grandeur of fortune, he could ill brook the necessity of defence, and felt as an ignominy the task of pleading for his character and property. He, upon whose pleasure had so often depended the fate of sovereigns and of states, who might with truth be styled "the setter-up and puller-down of kings," sickened at the recollection of that ingratitude which degraded him to the position of a culprit. His long residence in India, and the fatigues, mental and bodily, which he had undergone, had long since ruined his constitution. A derangement of the liver, frequent and violent attacks of the bile, excruciating attacks of pain from gall-stones, attended with severe spasms, had occasioned severe sufferings both before and after his return. For relief, he had sought the dangerous aid of opium, and, like all others who rely on it for the mitigation of suffering, he had increased the quantity of his dose to a very great extent. The fatigue and mental anguish of the last two sessions of parliament augmented his malady, and in November, 1774, a violent return of his complaints obliged him to take augmented quantities of his dangerous narcotic. It is probable that the excessive acuteness of the paroxysms of pain, combined with the effects of the medicine, acting on his feverish irritability, led to the melancholy event which, at the early age of forty-nine, terminated his days*.

The attention of parliament was also engaged, and the public feeling considerably interested, on a con-

Contest with
the Carribs
of St. Vin-
cent's.

circumstances attending the transaction. The minister, he observes, declared in favour of the words of censure on Lord Clive, and divided in the minority. The Attorney-general was a principal in the attack; the Solicitor-general managed the defence. The courtiers went different ways; the most considerable part of the opposition supported Lord Clive, although he had served administration, and supported them in their proceedings against the Company: vol. xvi. p. 107.

* 22nd November, 1774. See *Biographia Britannica*, article Clive. Sir John Malcolm, vol. iii. p. 271, and a very feeble *Life of Lord Clive*, by Charles Caraccioli, vol. iv. p. 553.

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Early history
of the island.Distinction
between red
and black
Carribs.The French
obtain a set-
tlement.

test with the Carribs of St. Vincent's, respecting which many forcible appeals were directed to the House of Commons and to the nation. To understand this question, it will be necessary to recur to a distant period, and examine historically the state of the island.

Saint Vincent's, one of the discoveries of Columbus, contains about 84,000 acres, and is twenty-four miles in length, and twelve in breadth. The Spaniards were not sufficiently numerous to attempt obtaining possession, because the Indians, who made it their place of rendezvous in expeditions to the continent, were in great force. These Indians, who are commonly taken for the Aborigines, are denominated *red*, sometimes *yellow* Carribs*. They are described as a mild and moderate race; of low stature, inhabiting the woods in scattered families, in a state of primitive simplicity, and under a kind of patriarchal government.

At a period which cannot be exactly ascertained, but toward the latter end of the seventeenth century, a ship from Guinea, with a cargo of slaves, was wrecked or run on shore; the negroes escaped, and, either by favour or force, established themselves on the island. They were of the Mocoa race; tall, stout, violent, irritable, and crafty. They soon increased in numbers by intermarrying among themselves and with the natives, and began to invade the property of their too-confiding hosts. After a series of struggles, the intruders obtained possession of the most valuable parts of the country, and, by frequent slaughter, reduced the number of their opponents to comparative insignificance. The descendants of these Africans were called *black* Carribs.

In 1719, the disputes between the races of Carribs being carried on with great violence, the French inhabitants of Martinique, conceiving hopes that, by favouring one party, and subduing the other, they might gain possession of the island, landed a considerable force, and, calling themselves allies of the red Carribs,

* I have adopted the common orthography of this word: it is sometimes spelt Charibb, and Bryan Edwards writes it *Charaibe*.

committed some hostilities on the other party. Either through fear or jealousy, the expected assistance was however withheld; and, after losing many lives, the French were compelled to make peace. Failing in their hopes of conquest, they succeeded in obtaining an establishment by negotiation, and, from small beginnings, increased their number of settlers to eight hundred whites and three thousand slaves. They did not acquire this advantage without many humiliating concessions and mortifying insults; they were obliged to submit, without resistance, to all the caprices of savage licentiousness, to permit the seduction of their slaves, the plundering and burning of their estates, and to compromise with the black Carribs under terms of abject and degrading submission*. Hoping that by temporizing, they should gain an entire ascendancy, they endeavoured to live on amicable terms with these savages, to whom they imparted a small knowledge of the Catholic religion, affecting towards them an extraordinary attachment.

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While Saint Vincent's, and other islands inhabited by the Carribs, were thus anxiously coveted by the French, they were no less objects of desire to the English; and, after a long and ineffectual contest, it was agreed by the treaty of Aix-la-Chapelle, in 1748, that those islands should be considered neutral, the property being vested in the Carribs, but European subjects were to retain their private possessions. Both nations were afterwards dissatisfied with this arrangement, in which, from mutual jealousy, they had conceded their own rights into the hands of a race who were not parties to the contract. In the negotiation of 1762, they adopted a contrary system; and, without naming the Carribs, or adverting to their claims, real or imaginary, the island of Dominica, St. Vincent's,

Arrangements in the treaty of Aix-la-Chapelle;

at the peace of 1762.

* The following instance is given by the Abbé Raynal. "The black Carribs, conquerors and masters of all the leeward coast, required of the Europeans, that they should again buy the lands they had already purchased. A Frenchman attempted to shew the deed of conveyance from a red Carrib; I know not, said a black Carrib, what the paper says; but read what is written on my arrow. There you may see, in characters which do not lie, that if you do not give what I demand, I will go and burn your house to-night."

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1773.
Proceedings
of the British
government
with respect
to the lands.
24th March,
1764.

Conduct of
the Carribs.

11th April,
1767.
Mr. Young's
memorial.

and Tobago, were allotted to Great Britain, while France kept possession of St. Lucia*.

On the arrival of the English, many of the French inhabitants left St. Vincent's, and the Carribs also solicited from the French governor of St. Lucia permission to settle there, which was refused. A commission was framed for surveying and disposing of the lands; but, although no stipulation was made in the treaty of peace, the lords of the treasury forbade the commissioners to suffer any survey of the territory inhabited or claimed by the Carribs, till the receipt of further instructions, that their numbers, dispositions, and settlements might be more fully known.

At first, the Carribs, uncertain of their future destiny, shewed the utmost humility; and, in compliance with the propositions of government, many of them took the oaths of allegiance, and were received as subjects, shewing a perfect understanding of the transaction, expressing themselves much favoured and obliged by being placed on such a footing, and consenting to give up such lands as they could not cultivate†. Afterward, however, when they understood the nature of the instructions to the commissioners, and had received advice from the French, they claimed more land than could be useful, or than, under other circumstances, they would have presumed to demand‡.

After three years, William Young, Esq. first commissioner for the sale of lands, in a memorial to the Treasury, stated, that the total number of Carribs did not exceed two thousand, including women and children: the original Carribs being reduced to a very small number§, living remote from the blacks, and under continual apprehensions from their known ferocity. The black Carribs were scattered over the most extensive and finest part of the island; but they cultivated only a small portion of the land in detached

* In this account I have principally followed Edward's History of the West Indies, vol. i. b. iii. chap. 3, with occasional references to Raynal, Guthrie, and the papers produced to the House of Commons.

† Report of Mr. Maitland and other persons concerned in the Island of St. Vincent, to Lord Hillsborough; Parliamentary History, vol. xvii. p. 593.

‡ Memorial of Mr. William Young; same, p. 575.

§ According to the best accounts, not above one hundred families.

pieces, principally relying on hunting and fishing for subsistence. As it would be dangerous to the colonists that these lands should remain in the possession of lawless savages, Mr. Young requested further instructions, intimating that it would be proper to protect the red Carribs; as permitting their extermination by the blacks would be repugnant to humanity; and he considered, as a subject of curious speculation, the adoption of such measures as would reconcile the happiness of both races of Carribs with the safety and welfare of the British subjects*.

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In pursuance of Mr. Young's recommendation, the lords of the treasury instructed the commissioners to survey and dispose of certain parts of the island claimed by the Carribs; but not to attempt removing them until notice of the whole arrangement and design should be fully imparted to and understood by their chiefs. Humanity, mildness, and attention to the habits and convenience of the Carribs, were expressly enjoined; the commissioners were restricted from receiving fees, directed to avoid violence, and to observe the strictest good faith in their transactions. In the lands allotted in exchange, no quit-rent was to be reserved; and the Carribs were to receive the sum of four johannes, or seven pounds four shillings sterling, for every acre they had cleared†.

Jan. 1768.
Survey
ordered.

On receipt of these instructions, the King's surveyors began to examine the country, and make a road. The black Carribs, filled with alarm and indignation, assembled two hundred men in arms, and, loudly declaring their resolution to maintain their freedom and preserve their lands, insulted and obstructed the surveyors, and, surrounding a detachment of forty men, sent to guard them, cut off every supply of water and provision. Mr. Alexander, president of the council, acting for the governor in his absence, collected a hundred troops; but, having positive instructions to avoid hostilities, proposed to suspend making the road,

May 1769.
Proceedings
of the com-
missioners.
Hostility of
the black
Carribs.

Arrange-
ment.

* See this memorial at length, *ubi supra*.

† Parliamentary History, vol. xvii, p. 582.

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Their further
violences.

and desist from all proceedings, until further orders from the King, of which he would give due notice : the Carribs, satisfied with this declaration, promised to return quietly to their habitations ; the forty men were liberated, and tranquillity restored without bloodshed*.

An appeal to force soon appeared inevitable. The Carribs declared their resolution not to suffer the proceeding of the surveyors ; prevented the military from going to their new barracks at Mercerika ; pulled down the house allotted for that purpose ; denied subjection to the King ; and professed a resolution to preserve their independence. After the arrangements with Mr. Alexander, they broke up the road begun by the troops and surveyors, burned the huts erected for their use, and committed many ravages on the neighbouring plantations. The red Carribs did not interfere in the contest ; and the lords of the treasury shewed humane attention toward them, by directing, that, if the remains of this unfortunate people wished to be settled apart from the negroes, their inclination should be complied with.

Artifices of
the French.

Nor would the black Carribs probably have shewn so determined an opposition, on a point of no importance to them, but for the artful instigation of the French, who used all means to excite antipathy against the English ; even the little information they imparted of the Catholic religion was subservient to this purpose ; and, in execrating the British name, the Carribs did not forget to stigmatize them as heretics. For some time after the peace, however, no instance of disaffection had appeared, except that of maintaining a contraband intercourse with the French inhabitants of St. Lucia and Martinique, and declining all commerce with the English in St. Vincent's. From the vicinity of St. Lucia, and the ancient habits of the Carribs, this preference might have been considered of small importance, had not the malignant genius of the

* See Lieutenant-governor Fitzmaurice's letter to Lord Hillsborough ; Mr. Wm. Young's letter to Harry Alexander ; the letter of Mr. Alexander to Lieutenant-governor Fitzmaurice, and the memorials and subsequent papers, *passim*. Parliamentary History, vol. xvii. p. 587, et seqq.

French soon rendered it extremely dangerous. The Carribs were instigated to resist the claims of England by French emissaries, whose intrigues in the West Indies formed a part of the plan which prompted the attack on the British property at Falkland's Island. They taught the black Carribs to believe, that, as they were mostly descended from a race of slaves, bound in an English ship to Barbadoes, the heir of the owner had obtained an order to sell them as his property; and when animosity was thus sufficiently excited, the French supplied them with fire-arms, and encouraged hostilities.

The removal of four companies of the regiment stationed at St. Vincent's to Dominica, was the signal for armed opposition; and at that crisis they attacked the surveyors.

The planters of St. Vincent's were in daily expectation of a war with France; and saw that, in the defenceless state of the island, surrounded by a numerous and inveterate enemy well armed, and disciplined by French fugitives, their property and lives were on a most insecure and hazardous tenure. Rumours of projected massacres and conflagrations were circulated. The planters described their condition in terms denoting anxiety and solicitude; and all their dispatches to government, after the late commotion, earnestly requested an augmentation of the armed force. Avarice, too, had its share in these representations, as the letter of Mr. Alexander strongly expressed his impatience at being restrained from extremities, his reluctance at leaving so soon *that fine cream part of the island*, and his hopes that his absence from it would be but short*.

Alarms and remonstrances of the planters.

The lieutenant-governor, however, endeavoured to restore tranquillity; he embodied the militia, and issued a mild and temperate proclamation to the Carribs. He forwarded to government, by the hands of the speaker of the assembly, a correct delineation of the state of the colony, but forcibly represented the impossibility of retaining an advantageous possession,

Efforts of the lieutenant-governor. 10th June, 1769.

* See the papers in Parliamentary History, vol. xvii. p. 575 to 639.

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while so large a portion of the island was occupied by the negroes, without any mixture of white inhabitants, as they must continue uncivilized, lawless, disaffected, useless, and prone, in case of war, to join the enemy. He also observed, that, "as, from the most exact calculations, they could not exceed a thousand fighting men, although headed by several intelligent and resolute chiefs, another regiment properly disposed, assisted by His Majesty's ships, together with some expense for presents, and other incidental charges, would insure their submission to government with little or no bloodshed; the white inhabitants could then live peaceably among them, and the expense would be greatly overpaid by the sale of the lands*."

Orders of
government.
4th Aug.
1769.

The British cabinet was not influenced by these representations to adopt rash or violent proceedings. The Earl of Hillsborough, in a prudent and temperate letter to Mr. Fitzmaurice, approved his measures of defence, authorized him, in case of continued hostility, to make application to General Gage, at New York, for additional troops; but expressly ordered him, at the same time, to transmit to the general a full and explicit representation of the state of the island, a minute explanation of his reasons for making such requisition, and his motives for fixing on any precise number of men†.

Increasing
insolence of
the Carribs.

Elated with their success in opposing the surveyors, the black Carribs increased in insolence and ferocity. They sent an embassy to Count d'Ennery, or d'Henri, governor of Martinique, offering, with a small assistance, to cut off all the English, and destroy their settlements. The humanity of the French governor prevented his acceding to this horrible proposition; and as the militia was soon afterward raised, the Carribs, for a short period, affected humility and submission‡. Yet they continued an illicit intercourse

* See Fitzmaurice's letter to Lord Hillsborough. Same, p. 597; and his Proclamation, p. 603.

† Lord Hillsborough's letter to Lieutenant-governor Fitzmaurice, *ibid.* p. 597.

‡ Reports of Mr. Maitland and others. Same, p. 603.

with the French islands, and the successor of Count d'Ennery, and the governor of St. Lucia, appear to have encouraged them in acts of hostility and insubordination. The Carribs used continual endeavours to seduce or even steal the slaves belonging to the planters; cruelly murdering those who would not work or consent to be sold to the French. Although the magistrates received full information of the names and residences of the perpetrators of these enormities, they durst not attempt to punish them; the Carribs, armed and insulting, traversed every part of the British territory, while their jealousy guarded every access to their own domain*. They blocked up the high road, burned the houses of obnoxious persons, and threatened to destroy the King's barracks at Prince's Bay, a settled part of the country, far distant from that which they inhabited or claimed.

These violences, and the alarms they excited, occasioned many applications to the King and council, supported by affidavits and documents to prove the dangerous connexion between the Carribs and the French. The proprietors of lands, in their memorial, demonstrated, that the defence of the whole colony in case of a war would be incumbent on them, while the Carribs not only forbad all approach to great part of the island, but were ready with a superior force to assist the enemy. The planters disclaimed every wish to treat the savages with inhumanity, but merely required protection for their lives and property, that they might enjoy advantageously the estates they had purchased under the guarantee of the Crown. The commissioners for the sale of lands, in a Report to the Board of Trade, certified many of the same facts, and the Board, in their representation to the King, concurred in the necessity of increasing the insular military establishment.

Still the ministry was desirous to avoid extremities, and Governor Melville, in consequence of the indulgent and favourable orders transmitted to him, received with

Representations of the planters to the King.

22nd June, 1770.

26th July, 1769.

29th March, 1770.

Deputation of the Carribs to Grenada.

* Idem, p. 367. Report of the Commissioners; same, p. 622.
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25th Jan.
Interview
between
British com-
missioners
and the Car-
ribs.

kindness a deputation of about fifty Carribs, who attended him at Grenada, to exculpate themselves from the charge of disaffection to the British government and undue intercourse with the French*.

Influenced by Governor Melville's representations, the ministry again sent instructions to the commissioners, who obtained an interview with the principal Carribs at a place called Morne Garou, and made a very liberal proffer for the purchase of about four thousand acres of practicable land, which they only claimed, but did not inhabit, with an assurance, that the rest of their possessions should be inalienably secured; but the Carribs inflexibly refused to permit a settlement in any part of the country over which they extended a claim. Being asked, whether they would take the oath of allegiance as subjects to the King of Great Britain, one, in the name of the rest, answered, they were equally independent of the Kings of Great Britain and France; but confessed a great partiality to the French, and said, the Governor of Martinique had promised them protection, if they obeyed his orders in refusing to surrender any portion of land. This explicit avowal, combined with the general tenor of the conference, convinced the commissioners that the Carribs acted entirely under French influence. The chief did not appear disinclined to accede to the proposals; but the principal speaker, who seemed to possess the greatest share of influence, had resided in Martinique from his infancy, and was but lately returned to St. Vincent's.

16th Oct.
Report of
the com-
missioners.

In reporting these transactions, the commissioners represented the impossibility of so small an island continuing long divided between a civilized people and savages bound by no ties of law or religion, exempt, by their situation, from fear of punishment, and prompt, at the earliest instigation, to ruin the colony. They observed, that the sale of the land was no longer the most important object; but the honour of the Crown became concerned for the protection of its subjects

* His letter, giving an account of the interview, is dated 5th July, 1770. Same, p. 619.

against a lawless race, who might commit any kind of violence without control; and they recommended the former plan of making a road, and mixing white inhabitants among the natives*.

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The alarms of the people of St. Vincent's were increased by an intercepted letter from the Governor of St. Lucia, in which the Carribs were treated as an independent people; the French complained to themselves alone of their deviations from propriety, demanded redress, without reference to the authority of the British government; and mingled with the threats, it was judged expedient to use, such flatteries and complacencies as tended to make these savages still more proud, stubborn, and uncomplying toward the English†.

Treachery
of the
French.

Mr. Leybourne, the Governor of St. Vincent's, inclosed this letter to Lord Hillsborough, and suggested that, as an hostile correspondence was clearly proved, and lenient measures had been found ineffectual, force must be the last resort: the tranquillity of the island with its neighbours, and the respectability of the fleet in those seas, rendered the time particularly advantageous‡. This dispatch was accompanied with a memorial from the council and assembly to the King, expressing their fears at being surrounded by lawless savages, in strength and number far superior to themselves, and notoriously at the disposal of a foreign enemy. After displaying the insults and injuries they were obliged to sustain without possibility of redress, they claimed protection as a right, from their having purchased crown lands at high prices, adventured their health and fortunes, and strained their utmost credit in forming the settlement, all which they had done under a firm assurance of being placed in as secure a situation as the sister islands. They observed, that such a separate empire was not only incompatible with their safety, but highly derogatory from the honour and dignity of the British Crown; that lenity

30th May,
1771.
Remon-
strances
from the
island.

* Same, p. 605.

† See the intercepted letter, dated September, 1771. Same, p. 614.

‡ Same, p. 615.

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and every humane expedient had been long tried without success; but with natures incapable of gratitude or sentiment, the mild hand of benevolence lost its effect, and forbearance would only serve (as it had already) to increase the insolence of the Carribs, while it would eventually prove the greatest cruelty to the King's own subjects.

The experience of nearly five years, from the period when an attempt was first made to purchase from the Carribs a part of their lands, had fully convinced the British government, that to hold the island in its present state was impossible, and that they must either yield it up to the French, or reduce the Carribs to subjection. The delicacy shewn in 1764 in not immediately assuming possession of the vacant lands, and the respect paid to a claim without either occupancy or cultivation, had subjected the colonists to much opposition, rendered the savages haughty and inflexible, and enabled them to court and obtain that countenance by which they were encouraged to insult authority and spurn control.

16th April,
1772.
Hostile
operations
against the
Carribs.

18th April.

Orders were now dispatched to the commanders of ships on the leeward station, to prevent all communication between the Carribs and the islands of Martinique and St. Lucia, and an armed force was ordered to St. Vincent's. In a letter to Governor Leybourne, the secretary of state explained the intentions of the cabinet. From a hope that the Carribs, on seeing the hostile preparations and knowing the resolution of government, would avoid extremities; the governor was directed to use his utmost efforts in promoting such a disposition, to avoid unnecessary severities, and, in whatever mode the submission of the Carribs might be obtained, the desirable object was, to continue them on the island, under conditions which might be a sufficient pledge of safety, and with an allotment of a proper portion of territory. If, however, necessity should demand their removal, they were to be conveyed to an unfrequented part of the coast of Africa, or a desert island adjacent, to be treated on the voyage with every humanity, and when

put on shore, supplied with provisions, tools, and implements requisite for their present and future subsistence*.

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Two regiments were dispatched from New York, and some battalions from Dominica and other islands; but the operations being commenced late in the year, the result was unknown when the affair was discussed in parliament.

The army estimates being presented, Mr. Thomas Townshend required an examination into the management of troops in the West Indies: he had certain information that the regiments in St. Vincent's were unprovided with tents or camp equipage, and slept in the woods without covering. Alderman Trecothick asserted, that a scene of iniquity and cruelty was being transacted in St. Vincent's, similar to the conduct of the Spaniards toward the Mexicans, and demanded the cause of those hostilities against a defenceless, innocent, and inoffensive people. Colonel Barré, in a speech of some length, reprobated the wanton manner in which the lives of the troops were sacrificed; and Lord George Germaine spoke with vehemence on the same side. Lord North, barely reminding the house that they were deserting the business of the day, professed his willingness to meet the inquiry, and furnish all proper information. Mr. Townshend, however, promised to prosecute the subject, and two days afterward made a motion for papers, which were readily granted, and clearly proved that the charge of neglecting the accommodation of the troops was unfounded.

9th Dec.
Discussion in
the House of
Commons.

11th Dec.

The general question came again under consideration after the recess, when Mr. Townshend moved, that Generals Wooten and Trapaud, commanders of the two regiments employed at St. Vincent's, should be examined. General Wooten had received no accounts; General Trapaud read an extract of a letter, dated the 14th of November, and received the 17th of December, in these words: "The mortality among the men is very great, owing to the heavy and continual

10th Feb.
1773.
Witnesses
examined.

* See Lord Hillsborough's letter to Governor Leybourne, p. 632.

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" rains which we have at this season. The poor
" Carribs have been ill used. They act with great
" caution; and the woods are so thick, that they
" knock our men down with the greatest security to
" themselves, as it is impossible we can see them.
" We have only been able to penetrate four miles into
" the country. God knows how this pretty expedition
" will end; all we hope for is, that the promoters and
" contrivers of it will be brought to a speedy and
" severe account." The credit which might be due to
this imperfect and speculative scrap was greatly diminished, by a declaration from the minister, that no letter either of complaint or intelligence had been received by the secretary of state since the 17th of November.

12th Feb.

On a subsequent day, evidence was examined, chiefly respecting the disposition of the Carribs. Two witnesses, Lieutenant Fletcher and Governor Gore, spoke of them in advantageous terms; but the former left the island in 1757, the latter in 1765. Captain Farquhar, who had acted as Governor Melville's deputy for eleven months, declared he knew no instances of their ill behaviour, but found them peaceable, and disposed to trade. On the other hand, Captain Ross, who had recently left the colony, declared, they were by nature thieves, and unworthy of confidence. Mr. Sharpe, the speaker of the assembly, deposed, that they were a faithless people, and while they continued in the island, neither the lives nor property of His Majesty's subjects could be secure; that assassinations and robberies were frequent; that his own negroes had been murdered in the field; and no inducements were wanting to encourage the slaves to desert; the Carribs were much addicted to drinking, and in their debaucheries were cruel, and abandoned to every species of vice. Their overtures to Count d'Ennery were also proved.

15th Feb.

Mr. Townshend's motions.

Mr. Townshend expatiated on the cruelties and injustice to which the Carribs were exposed, and decanted on the unparalleled inhumanity of sending them to an uninhabited island, where they must perish by

famine, or, if landed on the continent, fall a prey to the merciless negro inhabitants ; and that, by means of the still more merciless negroes of the cabinet. He made two motions ; first, That the expedition to St. Vincent's was undertaken without sufficient provocation, upon the representations of interested men, and must, if successful, end in total extirpation ; the other, That the military were sent out in an improper season of the year, and that the ruin of some of the best troops in the service was like to ensue.

A long debate was maintained, in which few substantial arguments were used. Colonel Barré made a ludicrous comparison between Mr. Alexander, the president of the council, and Alexander of Macedon. In descanting on the conduct of the commissioners toward the Carribs, he introduced an anecdote of the late war in America. A volunteer being on a party, with some light infantry and a few friendly Indians, they were surrounded ; the volunteer shewing signs of alarm, an Indian, an old friend, inquired the cause ; the volunteer expressed a dread of being scalped by the enemy. O ! replied the Indian, I will remove that uneasiness, for I shall take care to scalp you myself. The proceedings of government were ably defended by Mr. Hans Stanley, Lord Barrington, and Lord North. The motions were lost by great majorities* ; and another, for an address to inform the House by whose advice the expedition was undertaken, was negatived without a division.

Before the termination of the debates, the subject of them ceased to exist. After a campaign inevitably protracted by the nature of the country and of the enemy, the British troops, aided by the vigilance of the fleet, which prevented all extraneous succour, made the enemy accede to a treaty, by which every point in contest was fully adjusted. The Carribs acknowledging subjection, and agreeing to take the oaths of allegiance, an ample portion of land was allotted, and guaranteed to them for ever. The British

Termination
of the con-
test.

17th Jan.

* 206 to 88—199 to 78.

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subjects were to have free access to this territory in search of runaway slaves, and to make roads in every direction; and the laws of Britain were to be resorted to in cases between the Carribs and the colonists, although, in their transactions with each other, the savages were left at liberty to regulate themselves by their own customs. The loss in this expedition was about a hundred and fifty killed; one hundred and ten fell victims to the climate, and, at the time of concluding the treaty, four hundred and twenty-eight were sick and wounded*.

9th Feb.
Increase of
pay of cap-
tains in the
navy.

A petition from the captains of the navy, for an increase of pay, was presented by Lord Howe. It set forth the wants and the merits of the petitioners in manly and modest terms, and was supported with firm arguments and accurate historical statements by the noble mover, by Sir Gilbert Elliot, Captain Constantine Phipps, and some other members. Sir George Savile, Colonel Barré, and others of the opposition, pressed into the cause arguments of a more general political description. Lord North, Mr. Fox, and Mr. Welbore Ellis, opposed the reception of the petition, as tending to increase public burthens already severely felt, and the possibility that the success of the petition might encourage other, less meritorious, servants of the public to make similar applications. These arguments succeeded so ill, that the minister found himself, on a division, in a very inconsiderable minority†. The petition was referred to a committee, on whose report another debate took place; but finally an address was voted to the King, and the salary of the captains was augmented by two shillings a day.

March 5.

Jan.
Promotion
of military
officers.

As having some affinity to this matter, although it produced no parliamentary discussion, may be mentioned a promotion of military officers which took place

* See the treaty of peace, comprised in 24 articles; History of Lord North's Administration, p. 95, et seq. I have detailed this transaction at great length, and quoted the authorities with minuteness, on account of the misrepresentations which have prevailed on the subject. It is remarkable, that while this struggle was maintained at St. Vincent's, the Portuguese in the Brazils, and the Dutch in Surinam, both allies of England, were engaged in contests with the natives, and with their rebellious slaves.

† The numbers were 154 to 45.

early in the year. An advancement of rank, unaccompanied with emoluments, was given to three lieutenant-colonels, one of whom received this honour in preference to Colonel Barré and Sir Hugh Williams, both senior to him in rank, but whose parliamentary conduct could not be pleasing to government. Justly offended at this proceeding, the colonel, after much consultation with Lord Chatham, and some correspondence with the secretary at war, requested permission to retire from the service, and received for answer, that it was granted*.

A bill was again brought in, considerably altered from that of last year, for the relief of the protestant dissenters. It was debated in an animated manner, in the House of Commons, and passed; but was rejected by the Lords†. Sir William Meredith also made a motion relative to subscribing the Thirty-nine Articles at the time of matriculation in the universities; but, after a long debate, it was negatived.

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Case of
Colonel Barré.

Feb. and Mar.
Bill for relief
of dissenters
rejected.

23rd Feb.

* Letters between Lord Chatham and Colonel Barré: Correspondence, vol. iv. p. 212 to 250: and a letter of Lord Shelburne, p. 253.

† Contents 26—proxies 2—non-contents 65. On this occasion, the following observations are said to have been made by Lord Chatham. Dr. Drummond, archbishop of York, having called the dissenting ministers "Men of close ambition," Lord Chatham accused him of judging uncharitably: "Whoever brought such a charge against them, defamed." Here he paused, and then proceeded—"The dissenting ministers are represented as men of close ambition. They are so, my lords; and their ambition is to keep close to the college of fish-ermen, not of cardinals, and to the doctrine of inspired apostles, not to the decrees of interested and aspiring bishops. They contend for a spiritual creed, and spiritual worship. We have a Calvinistic creed, a Popish liturgy, and an Arminian clergy." This debate is not reported, and for this speech I have no authority, except a report of Mr. Burke's speech on the 2nd of March 1790. This supposed effusion of Lord Chatham has been frequently quoted by persons hostile to the Church of England by law established. I much doubt the introduction of it by Mr. Burke into his speech; but it is quite certain that Lord Chatham could not have uttered it on the occasion to which it is applied. The bill was brought up from the Commons, and read a first time, on the 26th of March. On the 2nd of April, there was a petition against it, signed by a great number of protestant dissenting ministers and other protestant dissenters; it was then read a second time, and, on a motion for its commitment, rejected. Lord Chatham was not in the house on either day. Lords' Journals, vol. xxxiii. pp. 577, 580, 597, 601. His Lordship and the Archbishop of York were both present on the 19th of May 1772; and the editor of Lord Chatham's Correspondence (vol. iv. p. 219) cites, from a contemporary newspaper, a passage in a supposed speech of his lordship, bearing in one part a very slight resemblance to that which above is printed in italics.



APPENDIX I.

LETTERS between Lord BUTE and Lord MELCOMBE,
on the state of Parties and Politics, previous to,
and during, Lord BUTE's Administration.

Mr. Dodington to Lord Bute.

(Extract.) 22nd December, 1760.

THE more I think of the conversation of last Saturday about single resignations, or even combined aggressions, the more I am confirmed in my opinion that nothing should be done that can justly be imputed to precipitation, nothing delayed that can be imputed to fear of them. This I say in case of aggression, which I think and hope will never happen. However, as I think they will drop off ere long, you will be pleased to think only with yourself, and your royal master, of proper persons to fill up the first rank with you in case of death or desertion.

Remember, my noble and generous friend, that to recover monarchy from the inveterate usurpation of oligarchy is a point too arduous and important to be achieved without much difficulty, and some degree of danger; though none but what attentive moderation and unalterable firmness will certainly surmount.

Paper read by Mr. Dodington to Lord Bute.

16th January, 1761.

If the intelligence they bring me be true, Mr. Pitt goes down fast in the city, and faster at this end of the town: they add, you rise daily.

This may not be true: but if he sinks, you will observe his system sinks with him, and that there is nothing to replace it but recalling the troops, and leaving Hanover in deposit.

If this should come to be the case, and you cannot make a separate peace upon the present foot, it seems not far off, either from absolute necessity, or from the arrogance of those whose presumption and court to the closet first plunged us into this distress, or from the united voice of the most affectionate of His Majesty's subjects. Should not a measure so extremely popular as the sacrificing that country to this for a time, to secure an honourable and advantageous peace, both which experience has shewn cannot be done by sacrificing

this country to that: should not then a measure so endearing, so much beyond the most sanguine expectations three months ago, come immediately from the King, and, by his order, be carried into execution by the hands in which he places his whole confidence? Be pleased to reflect a moment on this, and prepare yourself for this event, if necessity, presumption, or the voice of the nation, should force it upon you.

Lord Melcombe to Lord Bute, on Mr. Pitt's resignation.

(Extract.) 6th October, 1761.

I sincerely wish your Lordship joy of being delivered of a most impracticable colleague, His Majesty of a most impetuous servant, and the country of a most dangerous minister. I am told that the people are sullen about it.

Lord Bute to Lord Melcombe.

8th October, 1761.

My dear Lord,

Whatever private motives of uneasiness I might have in the late administration, I am far from thinking the dissolution of it favourable in the present minute to the King's affairs. Without entering into the causes of the war, it is sufficient to observe, that it was a national one, and that the honour of the nation is pledged to support its allies. You, my dear Lord, cannot dislike it more than I do; but, as we have to do with a most treacherous enemy, whose infamous prevarications have been so lately experienced, we must act 'with redoubled vigour and spirit before we can hope to bring them to such a peace as, from our repeated conquests, this country has a right to expect, such a peace as I (with this load of responsibility) durst put my name to. This being so, the change of a minister cannot, at present, make any remarkable change in measures. I sigh after peace, but will not sue for it: not out of pride or from motives of self-preservation (though both might without dishonour be urged), but from a thorough conviction that begging it from France is not the way to procure it. Indeed, my good Lord, my situation, at all times perilous, is become much more so, for I am no stranger to the language held in this great city: *our darling's resignation* is owing to Lord Bute, who might have prevented it with the King, and he must answer for all the consequences; which is, in other words, for the miscarriage of another's system, that he (Pitt) himself could not have prevented. All this keeps up my attention, strengthens my mind without alarming it, and not only whispers caution, but steadiness and resolution.

Lord Melcombe to Lord Bute (in answer).

8th October, 1761.

I look upon the late event as an obstacle removed, not as added, when peace is to be treated. Your Lordship may remember some months ago I said I thought Mr. Pitt would never make peace, because he could never make such a peace as he had taught the nation to expect. I suppose he now sees that we are within a year or two of an impracticability of carrying on the war upon the present footing, and may think, by going out upon a spirited pretence, to turn the attention and dissatisfaction of the public on those, who, at a ruinous expense, are to carry on his wild measures, and whom they have been taught to dislike by a total abandonment of the press to him and his creatures, which I humbly hope you will now think proper to employ better.

I can say nothing to the treachery and prevarication of France in the late negotiation, being totally ignorant of all those transactions. I entirely agree with you that we must act with redoubled vigour in carrying on the war, to obtain a proper peace; but it may be a doubt whether carrying it on in the same manner may be prudent, or even long practicable.

I also agree with your Lordship, that where honour is pledged it must be maintained; but whether, after what we have done to support our allies, we cannot maintain it at a less expense than ruin to ourselves without effect to them, may be worthy of consideration. I am sensible I am writing upon a subject I am no ways informed about. The mention made of it in your letter drew me into it. I have done. As you approve of the war, in what manner soever you carry it on, I shall never say one word more against it, public or private, but will support it whenever I am called on, as well as my distance from the scene of business will allow me. I told you I would do so (after having told you my opinion) when you did me the honour to command me to be your friend. Indeed, my dear Lord, I wish and mean to serve you, and am sure I never will disserve you, which is, I fear, as far as my poor abilities are likely to go. I am glad the King has given the seals; and as you approve of it, I suppose they are well disposed of. The sooner it is public, the better. I wish they had been given as soon as they were resumed.

I think there can be nothing in the House of Commons: if there should, Mr. Grenville, no doubt, will do his best. I fear he is not very popular there; but you have friends there that are so, and very able too. The insolence of the city is intolerable. They must, and they easily may, be taught

better manners. I was bred a monarchy man, and will die so ; and I do not understand that men of that rank are to demand reasons of measures, while they are under His Majesty's consideration. As to you, my dear Lord, I am sure you laugh at them, and know that the moment they are threatened with the King's displeasure, those who *were* at your throat will be at your feet.

Lord Bute to Lord Melcombe, in answer to a letter of reproach on the refusal of a Request.

8th February, 1762.

* * * In short, my Lord, though I cannot prevent umbrage being taken at my not satisfying every wish, I shall certainly hinder any reasonable ground of complaint concerning things I have once promised. I own, and without blushing, I have been very unfortunate in the means I have for years taken, of cementing friendships and procuring attachments. Others, with much less trouble, perhaps without my sincerity, succeed better ; but I repine not ; conscious of my own feelings, conscious of deserving better treatment, I shall go on, though single and alone, to serve my King and country in the best manner my poor talents will allow me ; happy, too happy, when the heavy burden that I bear shall be removed, and placed on other shoulders.

Lord Melcombe to Lord Bute.

13th April, 1762.

* * * The people are intoxicated with conquests : his partizans take effectual care to combine the idea of Mr. Pitt with it. His party rises : they attack you publicly, in all conversations, and now in writing, personally, in the most audacious manner, reproach you with following his example. Does the body of office assist them in all this ?—No. Does it lift a finger against them ?—Yet less. They observe a worse than Spanish neutrality ; and though it is probable they may have no compact with your enemy, yet they will not, most certainly, shew you their compact among themselves, as they find they are in no danger of your declaring war. Would they then have Mr. Pitt again ? No—but they desire to have that phantom followed enough to intimidate you, if you offer to break through their measures of government, or interfere with their disposition of the emoluments of it, by which alone they know they can be defeated. But if you were to go too fast in the one, or meddle at all with the other, they would, in my opinion, rather have Mr. Pitt than you, because they would think, in the first place, that he must be a little hum-

bled by adversity, and, in the next, that they could better struggle with his popularity, transitory and ill-founded, than with your credit with the King, built on the solid foundation of honour as well as inclination.

* * * I do indeed most earnestly insist upon a totally new system, and that cannot take place without new hands ; for these cannot give up the old one without passing condemnation on themselves, the authors of it, for servile and interested purposes.

APPENDIX II.

CORRESPONDENCE relative to the discontinuance of the PRUSSIAN SUBSIDY.

These Letters are in the British Museum, with many others ; and, as they are now accessible to the public, they are reprinted only because they have appeared in former editions, and may not seem to be suppressed.

The King of Prussia to King George III.

à Breslaw, ce 22 Janv. 1762.

Monsieur mon frère,

La longueur de la campagne dernière, et différentes fatalités survenues de suite, m'ont empêché d'écrire plutôt à Votre Majesté. À présent voilà l'Impératrice de Russie morte, et le Grand Duc qui m'a temoigné en toute occasion de l'amitié est sur le trône. Je suis persuadé que pour peu que le Sieur Keith sache profiter de ces circonstances, qu'il en pourra tirer un parti avantageux.

Pour moi, je ne doute pas que cette année ci ne soit plus heureuse que les précédentes, et ne nous mette en état d'obliger nos ennemis à des conditions de paix plus honorables pour nous que les loix arrogantes, qu'ils vouloient nous prescrire.

La declaration de guerre des Espagnols est, selon moi, avantageuse à l'Angleterre, en ce que la grande supériorité de la flotte Britannique trionfera des Espagnols comme des François. Quelle gloire pour le regne de Votre Majesté de rendre par là sa nation la dominatrice des mers, sans contradiction, et à nous tous d'avoir résistés, et de nous être soutenus contre les forces réunies de toute l'Europe ! Il n'est

question que d'un peu de constance et de fermeté pour terminer cette funeste guerre à l'avantage de l'Angleterre et de ses alliés ; mais il faut persévérer jusqu'au bout ; je vois encore difficultés sans nombre ; elles m'encouragent au lieu de me rebuter, par l'espérance de les vaincre.

Personne ne prend plus d'intérêt que moi à la gloire et à la prospérité de Votre Majesté ; je la prie d'en être convaincu, ainsi que de la haute estime avec laquelle je suis,

Monsieur mon frère,
de Votre Majesté
le bon frère,
FEDERIC.

Lord Bute to Messrs. Keith and Wroughton.

St. James's, 23rd February, 1762.

Gentlemen,

All the letters which I have received from Keith, since the late great event, have been already acknowledged. I congratulate you very sincerely upon the symptoms which have hitherto appeared of a change in the measures of your court, so greatly to be wished, for the good of Europe. At the same time, I cannot but acquaint you with the particular pleasure and satisfaction with which the King received your accounts of the very friendly disposition of the present Emperor towards His Prussian Majesty, his visible disinclination towards France, and, above all, his intention to do all in his power towards bringing about a peace between the powers at war, upon reasonable terms.

This was the most capital point in the instructions which His Majesty commanded me to send you, upon the first view of the late Empress's death. And it is still that which the King would have you recommend with the greatest zeal, and in which we hope that His Imperial Majesty will employ all his credit and influence, and especially with the King of Prussia. The reports which you have made, and those which we have received from Mr. Mitchell, of the good prospect of a speedy reconciliation between those two courts, must undoubtedly give pleasure here ; but I must at the same time observe to you, that it arises chiefly from the hope and expectation that His Prussian Majesty will be earnestly exhorted by the Emperor, rather to put an end, by reasonable and proper terms, to his war with the Empress Queen, than encouraged by him to persist in it.

I am, with great truth and regard,

Gentlemen,

Your most obedient humble servant,
BUTE.

Lord Bute to Messieurs Knyphausen and Michell.

à St. James's, ce 26 Fevrier, 1762.

Messieurs,

Comme vous sembliez souhaiter d'être mis en état de dépecher votre courier ce soir meme, je n'ai pas voulu différer de m'informer de la réponse qu'il plairoit au Roi que je vous rendisse sur les instances pressantes que vous avez faites dernièrement au sujet du subsidé : et l'ayant fait ce matin je vais en consequence vous faire part des intentions de Sa Majesté la dessus, afin d'éviter les meprises qui se peuvent glisser dans les rapports de ce qui se traite en des conférences, et pour que vous en puissiez rendre un compte authentique au Roi votre maître.

Je vous dirai donc que Sa Majesté se trouve encore portée d'inclination, comme auparavant, de fournir l'aide pécuniaire en question au Roi de Prusse, mais comme le grand événement que nous avons vu arriver dans le nord a opéré un changement qui semble promettre les plus grandes facilités à Sa dite Majesté pour l'amélioration de sa situation présente en la tirant de ces dangers multipliés auxquels elle s'étoit trouvée exposée, le Roi souhaiteroit que le secours qu'il voudroit prêter à ce prince, dut plutôt aider à la conclusion de la paix qu' à la continuation de la guerre.

C'est dans cette vue que Sa Majesté a attendu avec tant d'impatience la lettre que vous avez tant de fois annoncée de la part du Roi de Prusse, comme aussi les éclaircissemens qu'elle avoit demandée par le canal de son ministre à Magdebourg.

Les voilà enfin arrivés ces dépeches de M. Michell, mais sans avoir apporté la moindre ouverture dans aucun des points essentiels qui en sont le sujet, qui put satisfaire à la juste attente du Roi. Je suis obligé d'en dire autant par rapport à ce que vous m'avez fait l'honneur de me communiquer des instructions de Sa Majesté Prussienne qui ne s'ouvre le moins du monde au sujet des conditions particulieres, sur lesquelles elle voudroit conclure la paix ; se bornant au contraire, aux expressions generales de sa disposition à conclure sur un pied qui seroit conforme à ses intérêts et à sa gloire.

Il est vrai que par une lettre de plus fraîche datte M. Michell nous apprend la mission d'une personne accreditée et munie des plein-pouvoirs du dit Roi à la cour de Russie, et que Sa Majesté a bien voulu lui faire savoir que c'étoit pour s'en servir si l'occasion se presentoit. Elle ne s'explique pas d'avantage, et ne fait la moindre communication au Roi des instructions particulieres, qu'elle auroit données à ce ministre.

Vous jugez bien, messieurs, qu'un silence si extraordi-

naire par rapport à un objet qui interesse les deux cours a un tel point, ne sauroit etre regardé qu'avec beaucoup de surprise par Sa Majesté; je vous assure pourtant qu'il ne l'a nullement fait changer de resolution. Mais elle continue d'esperer que le Roi vôtre maître se determinera enfin à lui faire part de ses idées au sujet de la paix; et elle se flatte en même tems qu'elle les trouvera propres à faciliter l'obtention de ce bût tant desirable.

Des que le Roi aura eu cette consolation, il ne se perdra pas un jour à moyenner à Sa dite Majesté la remise des 670,000 livres sterling. Et comme ces sentimens et cette intention du Roi ne sont seulement raisonnables en eux mêmes, mais qu'ils se trouvent aussi marqués au coin de l'amitié et de l'attention les plus parfaites envers Sa Majesté Prussienne, je me flatte qu'une telle ouverture ne sauroit manquer d'être reçue avec la même cordialité, avec laquelle on l'a fait, et qu'il y sera repondu d'une maniere à lever toutes les difficultés qui subsistent actuellement; evènement qui me rejouira infiniment en mon particulier.

J'ai l'honneur d'être,

avec la consideration la plus parfaite,

BUTE.

The King of Prussia to King George III.

à Breslaw, ce 12 Mars, 1762.

Monsieur mon frère,

Les nouvelles qui viennent de Petersbourg depuis la mort de l'Impératrice sont si favorables que je les communique avec joye à Votre Majesté. Le nouvel Empereur est entièrement disposé à la paix. Les soins de M. Keith ont beaucoup contribué à entretenir cette disposition avantageuse. J'ai envoyé le Baron Goltz à Petersbourg pour complimenter ce Prince sur son avènement au trône, et il est en même tems chargé de plein pouvoirs pour signer la paix, si l'Empereur y consent. Cette negotiation passe par les mains de M. Keith: L'Angleterre n'a pas été en guerre contre le Russie, et les intérêts de Votre Majesté ne peuvent rien souffrir de cette paix, de sorte que je n'ai aucun reproche à me faire, et je suis meme persuadé qu'elle sera bien aise de cet evènement: Voilà la grande alliance separée; c'est un tres-grand article; si avec cela nous parvenons à pousser la cour de Vienne vigoureusement, il faudra bien qu'elle prenne enfin des sentimens plus modérés qu'elle n'en a marqué jusqu'ici, et son consentement à la paix entrainera infalliblement celui de la France. J'ai regardé de tout tems la Reine de Hongrie comme la promotrice de la guerre presente, et Votre Majesté verra que la guerre ne finira que lorsque cette Princesse com-

mencera à craindre pour ses propres états. Je souhaite d'avoir toujours des nouvelles agréables à marquer à Votre Majesté ; je la prie cependant de croire que personne ne prend plus que moi de part à ses intérêts, étant avec le plus grand attachement,

Monsieur mon frère,
De Votre Majesté
Le bon frère,

FÉDÉRIC.

George III. to the King of Prussia.

(Answer.)

Monsieur mon frère,

En remerciant Votre Majesté des deux lettres qu'elle a pris la peine de m'écrire le 22 de Janvier, et le 12 du courant, je la félicite très-sincèrement de l'heureux changement arrivé en Russie, et particulièrement sur la déclaration, faite le 23 du mois passé, par cet Empereur aux cours de Vienne, de Versailles, et de Stockholm. La résolution qu'a prise ce digne Prince de faire connoître à tout le monde ses sentimens par rapport à la guerre présente, et son intention de contribuer, de tout son possible, au rétablissement d'une paix generale, m'a été infiniment agréable ; et ma façon de penser sur ces grands objets y correspond entièrement, je ne manquerai pas de coopérer, par tout ce qui pourra dependre de mes soins, à un dessein si salutaire. En même tems, je prie Votre Majesté d'être persuadée, que je souhaite toujours également de pourvoir à son assistance. Elle voit pourtant combien mes facultés diminuent de jour à autre en suite de la nouvelle guerre, où je me trouve engagé, et des secours indispensables pour le soutien de mon bon et ancien allié le Roi de Portugal. Ce n'est pas que dès que Votre Majesté m'aura confié les moyens dont elle propose de se servir pour l'obtention de la paix, je ne sois résolu de faire tout ce qui sera en mon pouvoir pour aider à sa réussite. Je suis, avec la plus parfaite estime et affection,

Monsieur mon frere,
De Votre Majesté

à St. James,
ce 30 Mars, 1762.

Le bon frere,
GEORGE R.

Lord Bute to Mr. Michell.

St. James's, 26th March, 1762.

* * The Prussian ministers having yesterday acquainted me that they had information from their court of some overtures supposed to have been privately made from hence to the

court of Vienna, and having desired that I would communicate the particulars for their master's satisfaction : in order to enable them to set the matter in a true light, I gave them a sight of the precis of the King's order of the 12th of January last, to Sir Joseph Yorke. It is to be hoped that Messrs. Knyphausen and Michell will make the proper use of this communication towards removing any ill-grounded suspicions which may have been conceived by the King of Prussia, with regard to a step calculated for procuring, if possible, an information that might prove beneficial to the common cause : a step perfectly inoffensive to every power engaged in it, and which was so far from being taken with a view to prejudice his Prussian Majesty's particular interest, or even being attended with any neglect of them, that it carried upon the very face of it a suggestion thrown out with an eye to turn the Empress's thoughts to obtaining in another part what might serve as an equivalent to her pretensions in Silesia. But to obviate any failure therein on their part, the King has ordered me to send the above extract at all events to you, that you may represent in its true colours, and justify the rectitude of his Majesty's intentions.

For your own further information, and to put it in your power to rectify, upon occasion, any misconception of the tendency and result of the insinuations that were made in consequence of the King's intimation to Sir Joseph Yorke, I enclose copies of his answer likewise, and of that which was returned through the canal of M. Reischach, on the part of the Empress Queen.

Lord Bute to Mr. Mitchell.

St. James's, 30th March, 1762.

In my last I acquainted you with the complaint made here by Messieurs Knyphausen and Michell of some supposed secret overtures on our part to the court of Vienna, and I then explained the matter to you from the beginning to the end. I am now to add, that though they gave that intelligence a turn as if they had received it from their own court, yet we know with certainty that they picked it up here. And as it appears from their way of talking upon that subject to me, but more especially from what they said to the Duke of Newcastle, that they will probably have made a handle of it to inflame the mind of their master, the King thinks it expedient for his service, as well in respect to this affair as to many others, that you should repair forthwith to Breslaw, where you will lay the whole of that business before the King of Prussia : communicating to him the letters sent you by the last post, as containing the King's original orders to Sir Joseph

Yorke, which gave birth to it, and which you may assure him are the very orders that were given, and not a part only or abstract of them: and you will give His Prussian Majesty to understand, that, so far from disavowing such a step, the King is so fully persuaded of its inoffensiveness, and of his right to take such a step, that His Majesty has no desire to conceal what passed in that transaction, either from him or any body else. Though you must take care that the communication which you make of it to His Prussian Majesty may appear in its true light, viz. that of a particular attention to His Prussian Majesty, and totally different from an excuse, which the King will by no means believe can be expected from him on such an occasion. Neither does His Majesty comprehend what title the Prussian ministers had to complain of any application which he may have thought fit to make to the Empress Queen, of a nature like this now in question, entirely foreign to any of the King of Prussia's concerns. The conduct therefore of those ministers upon the present occasion is justly displeasing to His Majesty, and it is his pleasure that you should express to the King of Prussia his desire that they may be instructed to proceed with a greater degree of caution for the future. You will execute these instructions in your audience of His Prussian Majesty in their fullest sense, and without any softening, since in the manner wherein the affair has been treated here by the gentlemen above mentioned, the King's honour is concerned.

Lord Bute to Mr. Mitchell.

St. James's, 9th April, 1762.

Sir,

The reserved and unfriendly manner in which the King has been treated by His Prussian Majesty, in respect to Mr. Goltz's mission to Petersburg, cannot but be very sensibly felt by His Majesty. It was determined at first, without previous communication, we were told, that he went with compliments, or at most with general instructions, for a reconciliation between the two courts; and when it was owned that he had full powers, still he was to open every thing to Mr. Keith, and to take no step but in concert with him. It now comes out, by Mr. Keith's letters of the 11th past, that M. Goltz has been negotiating, upon affairs of the highest consequence, with the Emperor, and that, without the least degree of participation with His Majesty. No less a point than that of giving His Prussian Majesty a guaranty for Sleswick, in exchange for that of Silesia, was in agitation; and, by Mr. Keith's account, we may expect to hear that a treaty has been concluded upon that foot, some weeks since;

a treaty wherein the King of Prussia must know, that it would be impossible for His Majesty to take any part, consistently with the engagements of his crown to that of Denmark.

There is, therefore, no longer cause for surprise, though there is certainly a great one for complaint, with respect to the dead silence of your court, and their concealment from His Majesty's knowledge of such measures, as, instead of promoting his pacific views, according to the general assurances given of the King of Prussia's intentions, have the greatest tendency to spread the flames of war, and increase the miseries of mankind.

With the consciousness, however, of this unjustifiable treatment of the King, our master, His Prussian Majesty has still continued to direct his ministers here, if I may judge from their constant representation, to press the payment of his former subsidy: but the condition upon which the King has declared, both by my letter to them, and by His Majesty's to that Prince, that he was ready to give it, was the employment of it towards the procurement of peace, and not towards the continuation of war; and I cannot conceal from you, that to see the bounty of this nation converted to so pernicious a use as that of fomenting new troubles in Europe, would be of all things the most disagreeable to His Majesty.

The King must therefore receive farther intelligence, and see more clearly what use is intended to be made of any subsidy which he might be induced to give, before he can determine to give any at all. And this pause, on resolving upon that important question, is so much the more necessary, as, in case His Prussian Majesty's treaty with Russia be actually concluded, and the weight of that empire taken consequently out of the opposite scale, he will then, if he continues in the same mind in which he was when you wrote your letters to Lord Holdernesse, of the months June and July, 1756, have so little occasion for any assistance from England, that he might even be ready to furnish a body of troops for His Majesty's defence. This was the King of Prussia's language to you, upon the supposition of our barely preventing his being attacked by Russia. With how much more reason then may the English subsidy be dispensed with, if he shall have obtained not only the neutrality of the Russian Emperor, but even his guaranty for the duchy of Silesia? You are commanded, therefore, by His Majesty, to represent the purport and substance of what is above to the King of Prussia, but in the way of a cool and dispassionate remonstrance, and with very particular caution in what relates to his guaranty of Sleswick; not to put it in his power to hurt His Majesty's

interest at the court of Russia, by representing there, that his engagement, if he has contracted one with the Emperor for assisting him in his designs upon Denmark, is like to cost him his subsidy from England ; or, if he has not, by charging his refusal to do it, upon the King's withholding that succour. You will let me know very particularly all that passes upon this execution of your orders.

In regard to your notion expressed in your last, both to Count Finckenstein and me, of the King's soliciting His Prussian Majesty's assistance in dissuading the Czar, by their joint good offices, from proceeding to hostilities against Denmark, you will see by the enclosed copy of what I am writing to Mr. Keith, that His Majesty would willingly concur in such dissuasion ; but he sees no hopes of any weight being added to them from the representation of a power, who, supposing the guaranty of Silesia to have been purchased by him, at the expense of a reciprocal one for Sleswick, will have taken a step so well calculated to destroy the whole effect of every pacific remonstrance.

I am, &c.

BUTE.

Transactions with the Court of Vienna (enclosed in Lord Bute's dispatch of the 9th of April, 1762).

Précis des instructions données par la dépêche de S. E. le Comte de Bute à M. le Chevalier Yorke, du 12 Janvier, 1762.

A cette occasion (viz. de la publication du pacte de famille entre le France et l'Espagne, et du danger qui menace le royaume de Portugal) le Roi seroit bien aise que votre excellence pût trouver quelque canal convenable pour sonder les sentimens de la cour de Vienne, afin que Sa Majesté sache s'il y a lieu d'espérer de voir revivre dans l'esprit de l'Impératrice les craintes bien fondées qu'ont conçu tous ses augustes predecesseurs de la puissance enorme et dangereuse de la maison de Bourbon : et si elle ne s'alarmeroit pas à la vue de l'invasion dont le Portugal est menacé aussi bien que des dangers qui sont justement à appréhender pour ses propres états en Italie : ou bien si elle ne seroit pas capable de se laisser flatter de l'espérance de quelque acquisition ultérieure dans ce quartier, en cas qu'elle resolut à se joindre aux puissances qui pourroient vouloir opposer les projets pernicioeux de la France et de l'Espagne.

Précis de la réponse de M. l'Ambassadeur Yorke à la lettre du Comte de Bute, du 12 Janvier.—Datée à la Haye, 19 Janvier, 1762.

Par le canal dont je me suis servi, selon les ordres de v. E. du 12 de ce mois, pour sonder les sentimens de Sa Majesté l'Impératrice reine par rapport à l'union formidable de la maison de Bourbon, j'espère d'apprendre quelque chose : et il est à présumer qu'au cas que cette princesse trouve à redire au pacte de famille, elle ne s'en cachera pas long tems. On en verra des indices, et il ne sera pas difficile en ce cas de trouver moyen d'être mis au fait plus particulièrement de ses intentions. Et comme la guerre où elle se trouve engagée avec le Roi de Prusse fait le premier et principal objet de son attention, rien ne conduiroit plus sûrement à la connoissance que l'on souhaite de se procurer des sentimens réels de cette cour que si on étoit en état de lui faire quelque ouverture de la part de Sa Majesté Prussienne.

Extrait traduit d'une apostille à la lettre du Comte de Kaunitz au Baron de Reischach.—Datée de Vienne le 3 Mars, 1762.

Si l'on veut considérer attentivement le contenu des mémoires qui ont été remis, de part et d'autre, à la cour d'Angleterre, dans l'année 1755, et sur tout si l'on veut relire avec attention le plan que M. le Comte Charles de Colloredo a communiqué au ministre, il en resultera qu'on conviendra que nous avons déjà commencé dans ce tems là à prévoir à connoître notre propre danger ; mais la conduite de l'Angleterre nous a, dans la suite, entièrement ouvert les yeux ; et il n'y a rien de plus naturel, que chaque puissance prenne d'avance les mesures pour sa propre conservation. Dans ces circonstances je dois vous avouer, que Sa Majesté Impériale et son ministre ne peuvent point comprendre ce que l'ouverture confidentielle des Anglois signifie proprement, et par consequent il est aisé à comprendre qu'on ne se trouve pas ici en état de pouvoir y faire une réponse.

Lord Bute to Mr. Mitchell.

St. James's, May 26th, 1762.

Sir,

As this is the last dispatch that it will fall to my share to write to you, in quality of secretary of state, I think it necessary, and especially as the parliament is upon the point of breaking up without any grant of subsidy, as in the former years, to the King of Prussia, to enable you to justify the King's conduct from any misapprehensions or misrepresenta-

tions of what has passed in that affair, and to set forth His Majesty's true motives for withholding that succour in the present circumstances; that so the natural consequences of public events, and the effects of pure necessity, may be no more imputed, as they have been very maliciously, to such a change of dispositions, or such a failure of friendship, as have in truth never existed; since the King never had, nor has now, the least thought of abandoning His Prussian Majesty to his enemies, or deserting his alliance.

In order to your being prepared to execute this instruction in a manner conformable to the King's intention, I must desire you to recollect with me the several stages of the negotiation concerning the subsidy, and what passed in the different periods of it.

Upon the conclusion of the last campaign, which ended so greatly to the King of Prussia's disadvantage, by his loss of the two important fortresses of Schweidnitz and Colberg, the King saw the distress of his ally with the utmost grief and commiseration; and upon the pressing application of the Prussian ministers here, his Majesty, notwithstanding the great load of expenses, from the continuation of military operations in so many parts of the globe, as well by sea as land, for which the parliament could with difficulty make provision, yet did not hesitate a minute in determining to give the former succour to the King of Prussia. The term in which that business had been before transacted, the treaty being then expired, was indeed objected to, but the substance was not disputed.

The negotiation for settling the mode of that business was carried on through the months of November and December. In the beginning of the present year our war with Spain broke out, and the necessity of our undertaking the defence of Portugal against the ambitious views of that crown was foreseen. The additional weight of such vast charges upon the most exhausted resources of this country could not but alarm the warmest advocates for the continuance of war, and the indisputable expedience of lessening the objects of them was universally felt and acknowledged. In that circumstance you were directed to recommend, in the King's name, to His Prussian Majesty to endeavour to set on foot some negotiation of peace with the court of Vienna: he was desirous to intrust His Majesty with the terms upon which he would be willing to treat, and assured of the King's desire to assist in bringing any such salutary design to perfection. you were likewise ordered to ask a communication of the means on which he would rely, after so many misfortunes, and such a diminution of his power, for carrying on the war, if that were his intention.

After some weeks waiting for an eclaircissement upon either of those heads, in the beginning of February the King did indeed complain of so unexpected a silence: but you were still told that His Majesty was thinking of the proper time for making the demand of the subsidy in parliament.

In this interval we had the great news of the decease of the late Czarina, and a most promising prospect, from our very first accounts of that happy change of measures, which has so greatly bettered the King of Prussia's situation.

His Majesty saw that amendment with the truest satisfaction. He rejoiced in it as a sincere friend to that Prince, and as a well-wisher to the public interests of mankind; for he considered the defection of Russia from the contrary alliance, as what must give His Prussian Majesty a great advantage towards obtaining a speedy peace; and though His Majesty could not, consistently with the interests of his people, whose burthens were increasing in proportion as those of his ally were lessened, think then of contributing by any act of his to the prolongation of war; yet he still declared, and has continued, till near the present times, declaring, that if he might have assurance that the subsidy should be employed towards the procurement of peace, His Majesty would be still ready to ask it immediately of the parliament.

This was the language, as well as my letter of the 26th of February, to Messieurs Knyphausen and Michell, as of one which His Majesty was pleased himself to write a month after that to the King of Prussia.

It was not till the 9th of last month that, after a long and fruitless waiting for such an overture from Breslaw, as might have justified to His Majesty's own paternal sentiments, and to the public, the laying again, in so different circumstances, so heavy a charge upon his people, that you were directed to hold a language to the King of Prussia, which might prepare him for a total cessation of the former pecuniary succour. It was not till after the actual conclusion of his armistice with Russia, and when an agreement of the like kind with Sweden was in view. It was when the former of those powers seemed on the point of concluding a definitive treaty (at least) with His Prussian Majesty, and the latter, from her absolute inability to continue the war, and the universal cry of her people for peace, was preparing to make the first step towards him; in a word, it was subsequent to our receiving here that important declaration of the 23rd of February, by the new Emperor, wherein he openly exhorts the King of Prussia's enemies to put a speedy end to the war, and declares his own resolution of restoring to that Prince all the important conquests of his predecessor.

With these facts and dates in your memory, you may ven-

ture to appeal not only, as you were directed by my last cited dispatch, to that Prince's former eventual declarations, but even to his own present judgment, and that of his ministers, whether the King could have still reasonably been expected to persevere in his intention of giving the former subsidy. We have a very powerful additional enemy to contend with; His Prussian Majesty has a new and very powerful friend: the weight of Spain is thrown into our opposite scale; that of Russia, and Sweden too, is taken out of his: the King of Prussia had Pomerania and Brandenburg to defend, besides Saxony and Silesia; the two former are no longer in danger; we had, on our part, a most expensive land war to support in Germany; we must now provide for another in Portugal.

It seems hardly imaginable that this striking comparison should not be sufficient to convince even the Court of Breslaw, that in such circumstances, without a certainty of its application towards lessening the objects of war, it was impossible to propose the subsidy to parliament with any hopes of success.

Having thus stated to you, in its true and genuine colours, the whole of the King's proceedings in relation to the Prussian subsidy, with the real motives of it in every step, I come now to say something on another affair, which concerns myself more particularly, and in which His Majesty is very graciously pleased to permit me to make my own disculpation a part of this dispatch, written by his order, and with his approbation.

I need not tell you, for you are fully apprised of it, that I have been charged with having held to Prince Galitzin, some little time before his departure, a most unfriendly discourse with regard to the King of Prussia, and with having in particular endeavoured to persuade the Emperor of Russia, through the channel of that minister, in the first place, not to withdraw his troops from the Prussian territories, but to keep them still there, in order to force that prince to make cessions to the Queen of Hungary; and secondly, to prefer an alliance with the house of Austria, to that of His Prussian Majesty. These are the chief points of accusation, to which are added some embellishments of less consequence: and in answer to them, what I have to observe to you is, that I see no resemblance in that account to my real conversation with Prince Galitzin. If he did really therefore make such a report to the Emperor, he must either grossly have mistaken my meaning, or failed in his memory, or (what I am sorry to suppose possible with respect to a gentleman so deservedly esteemed), may have been prompted, by his known attachment to the court of Vienna, to give such a turn to his relation of my discourse as he might think most likely to serve that interest.

By a particular coldness shewn by the Czar to Mr. Keith,

and by hints which dropped from His Imperial Majesty, there was reason to think that something written to him by Prince Galitzin, with regard to the King's disposition towards the King of Prussia, had given him offence.

He without doubt communicated that intelligence to His Prussian Majesty, who had been before disposed, by those malevolent and mischievous insinuations, which we have by a multitude of combined circumstances but too much reason to suppose he receives from his ministers here, to give an entire belief to it, with the same credulity with which he listened to that groundless and shameful falsehood, transmitted to him from hence, of His Majesty's having offered to treat with the court of Vienna at his expense.

But, however that be, the fact is, that I held no such discourse. I do perfectly recollect the interview which I had with Prince Galitzin before he left us, and I remember as perfectly that I had then lying by me my first dispatch, after the late Empress's death, to Mr. Keith, and that I talked to him from the contents, and entirely in the language of it; and I must add that, in using that style, I spoke not my own notions only, but those of His Majesty, and of all his servants, who had seen and concurred in the instructions then sent to Mr. Keith.

I communicated to you at that time what appeared necessary for your information of the contents of that dispatch; but as it is now become of more importance, I have His Majesty's leave to send you *in extenso* every word in it that related to the general affairs of Europe, or to the King of Prussia in particular.

You will see that, instead of advising the Czar to continue his armies upon the Prince's territories, the King's particular pleasure and satisfaction is expressed in the orders given to those troops to advance no further upon them; to abstain from all hostilities, and even to accept an armistice, if offered: you will see too, that so far from desiring that the court of Russia should prefer the Austrian alliance to the King of Prussia's, Mr. Keith was directed to execute the instructions sent to him by the King of Prussia himself, which were certainly not in favour of the Queen of Hungary.

It is true, that the preference is very strongly given to pacific measures in that dispatch, and Mr. Keith is restrained from concurring in any thing that might tend to protract the war: but this was no secret instruction, for you were directed to make the same declaration, and to shape your own conduct by the same rule.

You see then, besides my own assertion to the contrary, how totally improbable it is that I should hold a language to the Russian minister, I do not say so different, but so abso-

lutely contradictory to the orders which I had just sent from His Majesty to his own minister at that court, and that, with those very orders in my hand, I should declare or even insinuate to Prince Galitzin that His Majesty's real sentiments were just the reverse of them.

Upon this foot, therefore, I shall leave it to you to clear me from such an unworthy imputation, having only just to add to this letter, that, as one which His Majesty has received from the King of Prussia seems to adopt the same ill-founded charge, and does not yet express a full satisfaction in the declarations made by His Majesty, with respect to the idle story of our negotiation with the Empress Queen, the King would have you insinuate civilly to Count Finkenstein, that His Majesty had not thought it suitable, either to his own or His Prussian Majesty's dignity, to enter into such altercations, but had chosen to enable you his minister to explain, and set in their true light, those facts which have either erroneously or maliciously been misrepresented to the King of Prussia.

I am, &c.

Bute.

APPENDIX III.

CORRESPONDENCE RESPECTING IRELAND.

Lord Bowes, Chancellor of Ireland, to Mr. Dodington.

25th December, 1760.

* * * The orders to dissolve the late parliament, and to send over the bills as usual, to certify to His Majesty the considerations for calling a new one, were in consequence of applications from the Lords Justices here, that the affair must be speedily over, and that within the year of the present sheriffs.—The resolutions were just and prudent.

Had the difficulties relating to the sending over the bill for a supply (pursuant to precedent) occurred, they ought to have been disclosed. Charity bids us hope it did not. In fact, the subject was not mentioned, to my knowledge, till on the meeting of a council, called, as I was then informed, to consider what bills should be sent. It was mentioned to me the instant before we took our seats, requesting me to name such as might be proper. My answer was, that the notice was short and unexpected: I presumed we should see what had been done, and follow precedents. On my memory I thought a money bill was always one.

The primate, who spoke to me, and the attorney-general,

who was present, seemed to acquiesce. On mentioning it to the chancellor of the exchequer, he objected against sending a bill for a supply, as there would be time after a meeting of parliament to prepare one in form, and that it was not necessary before, as the duties would not expire till the 25th of December 1761; adding, that such a bill would be rejected, and produce warmth, which was to be avoided in a new parliament, and possibly end in a dissolution; the rather as they resolved in the year 1727, the day they passed a like bill, on the meeting of that parliament, "That no money bill should be read before the report from the proper committees of accounts, and that this should be the standing order."

These reasons, to which I have given their full strength, were reported instantly at the board, urged pathetically, and in my judgment improperly, at that time and place. Departing from the settled usage in affairs of government required temper to judge of the necessity and previous private deliberation with those in the King's service, to settle the manner in which such a necessary change can be effected.

This was not done, and the effects to be expected happened: hasty resolutions, and declarations of what they would or would not do, and that equally at the upper and lower end of the table. My intimations of what has since been the case were to little purpose, and spoke strongly to my understanding, that each man saw this would be a popular point, and strove which should appear strongest in support of it. The next step was to guard against resentment on your side the water. They were warned, and therefore the justices wrote the next day to the lord lieutenant, apprizing him of their sentiments, the improbability of changing them, the consequences of attempting the sending such bill, and, I think, sufficiently to be understood, that they could not do it; proposing the expedient of other bills, which, if received, the affair would end—at least it gave time to deliberate. To which I (an eye-witness to the ferment) concurred, expressing my sense to comply, if the expedient should not be accepted.

You know the event on your side—on ours, no answer to the sent letter—increased heats—more determined deliberations.—Debate blowed the coals. They were told, without effect, that the sending bills to His Majesty, to be by him returned to his parliament, to notify from him the causes of their meeting, and the business they were to proceed upon, was peculiar to Ireland, depended on positive laws enacted by parliament during the reign of Henry VIII. under which they could not enter upon other acts than those transmitted by the King—that, subsisting that law, supplies must be sent to them as other acts. That the statute of Philip and Mary

confirms the former, at the time when it enlarges the power of government here to transmit to His Majesty other causes which might arise during the session of parliament; but the former remained in full force as to such causes and considerations as were known before the meeting of parliament. That in fact a supply was understood to be the primary cause of calling parliament;—that the establishment in Ireland made it necessary to ask a supply from the next parliament, as it would certainly be wanted. The time of asking the quantum and the continuance were in the discretion of the Crown;—that this notification equally left to the House of Commons their affirmation or negation;—that ancient laws were to be expounded by usage;—that this appears to have been ever the usage from the journals of parliament, and the records of the council, especially since the contest in 1692, without a single exception—that contests with the Crown were to be avoided—that the nature of the subject made it less justifiable in point of prudence, as no one attempted to urge any real prejudice that might attend the following of precedents; whilst on the other it obstructed the calling of parliament. How long that might subsist could not be known. That at that board they were to consider what was their duty, and to represent and advise of inconveniences which were expected from doing what had been done, and seemed required by law. Prudential reasons were also urged in vain—time taken for consideration. Possibly the event may be, that no such cause will be transmitted as yet: that if required towards the necessary meeting of parliament, it may be complied with; but what will be the fate of such bill sent back, or the consequences of an unanimous rejection, is out of my ken.

This country is populous and wealthy. They have been taught to think themselves injured by their present constitution, forgetting Poyning's law was their own request, and that if their form of government, whilst in their present relation to England, be different from that of England, the worst that can befall them is to force England to determine what power the parliament of England shall have over Ireland.

As to others who want not this information, their business is, and will be, to secure such parliament interest as may render them necessary to every chief governor. He may parade, but must submit. This is the present state of things, which occasions questions to be taken up here for the sake of popularity, that as governors they should discountenance.

This will account for the great precaution that one should not get the start of the others, and keeping together em-

powers them to say, "change hands as oft as you please, you
"can only be furnished from this shop."

Lord Bowes to Mr. Dodington.

2nd February 1761.

I don't wonder my last seemed obscure; public disturbances are with difficulty explained. Those we are engaged in become important rather from the situation of government than the consequence of the matter.

To view them in a true light, it is necessary to look back to the Revolution, or rather to the Hanover succession, since which time Ireland has been the most flourishing state in Europe, as is evident from the rise of lands, and the great increase of personal property; and probably their representatives in this parliament have been possessed of more property than yours in Great Britain, in proportion to numbers, without taking in the disproportion of wealth in the two kingdoms; whence you will conclude that power, or attempts to acquire it, have accompanied opulence. They had not had any real grievance from government, and have therefore quarrelled with its present legal constitution. They have considered your House as the model, and in general think themselves injured in the instances wherein theirs, upon the legal constitution, must differ.

In fact, they are become the terror of governors sent from England, who, for present quiet, and uncertainty of support from your ministry, have rather chosen to gratify by compliance, than contest points, which, when acquiesced in, became a foundation for future superstructures. This gave rise to *undertakers*, who insured quiet to the governor in exchange for power, and are now in that state of strength to tell the lord lieutenant he must come into their measures, or be rendered too uneasy for men of rank to remain under.

You need not be told by me where that power now resides, nor how necessary popularity is to the keeping of it, especially on the election of a new parliament.

But I must observe, that formerly Protestant or Papist were the key words; they are now court or country; referring still to constitutional grievances, for of others they don't pretend to complain.

The chancellor of the exchequer (when in opposition) was the popular man, and (with his abilities) of great consequence. His acceptance of his employment, with an added salary, had totally deprived him of popularity, nor could it be retrieved by his being of no use on the other side. The parliament here being dissolved, the law required the council

here to certify (in form of bills) the considerations for calling a new parliament. Usage had always sent a bill for a supply, commonly called a money bill, as one. The Commons had received these bills with reluctance. The applications to council to send over bills as usual, gave the chancellor of the exchequer opportunity to object against sending any money bill, which he enforced by such reasons as were the popular arguments against it. Prevailing in this point at that board must have merit, as the Commons had not been able to succeed, and their attempt in 1692 ended in their dissolution. The intent was evident, as also that what one gained thereby, must be lost to others, which probably occasioned that unprecedented warmth which followed.

Neither could trust the other with this advantage, and therefore joined instantly, and in such manner as to become principals at once; resolving and declaring they were ready to suffer political martyrdom in support of it, and this before the council had given or been asked their opinions on the subject, though, in fact, the majority soon espoused the same sentiments. To this united strength may be ascribed the letters to the lieutenant, in terms unusual, to say no more; and hence the difficulties arise as to the prudential part on your side the water, and are, in truth, of great moment with respect to the future government of this kingdom.

There is a bill sent from hence in seeming compliance with these resolutions on your side, to which some names are wanting, because they did not consider the bill sent agreeable to former usage, or the intent of it. Not being a bill for a supply to His Majesty, that it was open to every objection made against sending the usual bill, with many others arising from the nature of the bill sent; as it related to a vote of credit, for which the honour of the Commons was engaged; not desired by those who had lent their money, and could only be necessary on the supposed defective security of that vote—that it appropriated duties in the first instance, and deprived the Commons of considering the amount of the debt to be provided for, or the duties for repayment, &c. &c. &c. That these added objections would probably create contests in another place, and the measure was therefore unsafe as well as unusual, and seemed calculated only to ascertain in the event that which they had said would happen in sending a money bill.

It is observable, and I believe true, that the opposition here is universally disapproved of, and the actors see their error, though not the way to get rid of the affair. If this last attempt succeeds, they will rejoice as on a victory—if not, their having departed from their first declaration, their

doing what they ought to have done, seems to be a necessary consequence, if those on your side insist upon it.

Lord Bowes to Mr. Dodington.

26th March, 1761.

Lord Halifax comes here at a critical time, and his conduct will probably fix the future government of Ireland.

16th Oct. 1761.

* * * To me Lord Halifax seems to have got the start of opposition, and they will have no easy task to persuade the people that he is not their friend. The return of the money bill is likely to occasion differences: but the train in which things are placed is likely to make it easy;—it was sent in wrath, knowing it must be rejected on its return. Your lordship well knows what uphill work it must be to carry such a question against the inclinations, and in fact against utility and conveniency; what is therefore wished, is, that it may be received and read, and then postponed till a new bill may be framed, which will take in the subject of that act, and which may be necessary to answer the end proposed by way of supply and duration, and then drop the first, upon the reason of the thing, without entering on any further questions. Questions may, and probably will, be proposed, but I think rejected by a respectable majority.

The bill for septennial parliaments will be introduced, and like your place bill be carried in, though strongly against the inclinations of many who will be silent. In what light that may be considered elsewhere, you may know before I can. The question is, or rather may be, of importance to the Crown, but infinitely more to the quiet, &c. &c. of the kingdom.

Lord Halifax to Lord Melcombe.

15th December, 1761.

I am obliged to you for the favourable opinion you express of my government here, and I am sorry for the picture you draw elsewhere. If I am quiet, it is not that I am without a tribe equal in *virtues* to that you describe at home; but I came determined to make the proper use of them, and I luckily had an early opportunity of doing so. It was always considered good generalship to turn an enemy's cannon against themselves, and I took their battery as soon as unmasked. I will not say what other lord lieutenants have been, but I am as much master here as I can wish to be, and as much as my good Royal Master could ever have expected me to be. His authority, *coute qu'il coute*, shall never suffer

in my hands. The session is like to continue good humoured, and to be short, as the edge of opposition is blunted.

APPENDIX IV.

ON THE ISLE OF MAN.

The early history of the Isle of Man is involved in considerable obscurity. On the expulsion of the Norwegians, the ancient records of the island were carried to Drontheim in Norway; and, on inquiry within these thirty years, it has been discovered that they were accidentally destroyed by fire. However, it seems, from the report of Calvin's case, that this island was an ancient and absolute kingdom*.

The tradition of the island points out the first trace of monarchy in the latest stages of druidical hierarchy, when Christianity was introduced, and bishops were placed there by St. Patrick, not only *ad erudiendum*, but, *ad regendum populum Istius Insulæ*†.

The island was under an independent sovereign; by Edward II. it was granted to his favourite, Gaveston, Earl of Cornwall‡, and was afterwards conquered and held by Alexander III. of Scotland, and governed by his thanes. By the assistance of Edward III. it again returned to the English line, and became the property of Sir William Montacute, who, in 1393, sold it to William le Scrope, on whose forfeiture it fell to Henry IV§.

This monarch, in the first year of his reign, granted the isle to Henry Earl of Northumberland, who being attainted for treason||, it was granted to Sir John Stanley and his heirs¶, *Tenendum de Rege hæredibus et successoribus suis per homagium ligeum reddendo nobis duos falcones, &c. &c.* from whom, by a lineal succession, this noble inheritance descended to Ferdinand, fifth Earl of Derby.

In the year following his succession, this nobleman died, leaving three daughters co-heiresses, and his brother William, sixth Earl of Derby, his heir male.

On the death of Earl Ferdinand, a controversy arose between his three daughters and widow, on the one part, and the said Earl William on the other. A reference in consequence was made by Queen Elizabeth to some of her privy council and judges**.

* Coke's Rep. 7. † Jocelin, Vit. Patric. 6. 152. ‡ Rap. Hist. Eng. vol. iii. 331. § 4th Inst. 283. || 6th Henry IV. ¶ 4th Inst. 284.
** Anderson's Reports, vol. ii. p. 215. Dugdale's Baronage, 250.

This dispute continued several years, and in the mean time the Crown appears to have had possession of the island. At length an agreement was made, various sums of money paid to Earl Ferdinand's daughters and his widow, and the succession of the island regulated by an act of parliament in the 7th of James I.

By this act it was settled, after certain limitations, on the right heirs of James, then Lord Stanley, afterwards Earl of Derby, with a clause prohibitory of alienation.

The island descended to James, tenth Earl of Derby, on whose decease, the male line of heirs of James Lord Stanley becoming extinct, recourse was had to Amelia Sophia, the youngest surviving daughter of James, seventh Earl of Derby, who was married to John, Marquis of Atholl, and from whom, by lineal succession, the island has devolved on the present Duchess Dowager of Atholl, Baroness Strange, under the parliamentary entail of the 7th of James I.

It being conceived that the British and Irish revenues were materially affected by illicit practices carried on to and from the Isle of Man, acts of parliament passed from time to time, regulating the trade of Great Britain in respect to the Isle of Man; which, in the year 1765, being considered insufficient to carry their purposes into effect, after much negotiation and correspondence with the Atholl family, which was at length dropped, the bill of 1765, for investing the island in the crown, passed.

The next Duke of Atholl, who was heir apparent, and on the decease of his mother heir general of James Lord Stanley, conceiving that this act of parliament had been made in direct violation of the parliamentary entail of 7th James I. and in various respects extremely severe in its operation, from the title to and value of the island being totally misunderstood at the time the transaction took place, made several applications for redress*, which it was found necessary to discontinue, from new matter arising in the course of his investigations relative to this island; and His Grace having obtained from His Majesty a commission for inquiring into the nature of his complaints, and the situation of the island, a report was made generally in favour of His Grace's allegations, and taken into consideration by the imperial parliament.

* Com. Journ. 1780, 1790.

APPENDIX V.

LETTER from a Person in high Office in AMERICA, to an English Nobleman, on the Temper of the People, and Course of Politics.

New York, 8th November, 1765.

By Davis, two days ago, I gave you a tedious (because I chose it should be a particular) account of the violence that lately broke out in this town, and which, if the madness of the lieutenant-governor had not been repressed by the prudence of the commander in chief of the King's forces, would very probably have involved the whole continent in a rebellion.

I am impatient to the last degree for the arrival of Sir Henry *Moore*; not because it will rid us of *Colden*, who, 'tis reported, thinks himself no longer safe in America, and will remove to England; but I have some hopes a governor, not obnoxious to the people, may confide in the militia, and take proper measures to free us from a state of anarchy, and the dominion of a mob, who not only terrify the magistracy, but may put the match to the powder of discontent that threatens to blow up all the provinces. Let us hope there will be no recurring to force; if Britain prefers it to policy, we are both ruined. For the Americans seemed determined to fulfil *Barré's* prediction in the House of Commons, and fight it out.

Depend upon it they will suffer no man to execute any law to raise internal taxes unimposed by their own assemblies. None of the distributors durst act; and that man's heart must be fortified with tenfold steel, who ventures even to approve the doctrine, that the parliament hath a right to give away the estates of the colonists without their consent.

In the chartered governments, where the offices are elective, all things run on in the usual channel: and even in the colonies, where there is a more immediate dependence on the crown, the spirit of the people countenances such a defiance to all officers, that I make no doubt of an equal neglect of the *stamp act*.

The ordinary process of the law has not as yet been issued in this province; but I suppose it will soon begin without any reference to the parliamentary decree: and, indeed, if any durst to ask for them, there are none to distribute them. The merchants, I once thought, would have been the first purchasers; but they venture out their vessels with un-

stamped cockets; nor have the officers of the customs the hardness to refuse them any of the necessary documents. The newspapers also are dispersed as before, and thunder out their weekly execrations against all the authors of the real or supposed grievances of the country; and the printers, sure of an immediate gaol-delivery, inflame the whole continent.

Blessed be the name of the man who finds means to dispel the dark cloud that hangs over us, and brighten this troubled sky. I am aware of the difficulties. The change of the ministry gives a ray of hope to some, who presume that the new state-physicians will naturally find fault with the prescriptions of the old doctors. But I fear that the terror of the general voice on your side of the water, will, for a time, support the doctrine *here* so utterly abhorred; nor do I see any middle way to save the honour and claims of the parliament. Regulations in trade to destroy the West India monopoly, so destructive to us and the mother-country, with the reduction of the Admiralty powers, may sweeten men's minds; but the grand contest will subsist even though the stamp duty should be *reduced*, and better proportioned to the abilities of the people.

A *total* exemption from taxes they were resolved to force; and, besides the justice of their cause, they are animated by various considerations to expect success—your present confusions, which they hope to increase by our own economy and encouragement of home-made manufactures; the supplies you want from us; the difficulty, if not impossibility, of sparing a standing army and supporting it; a presumption of the necessary flights over to us of your unemployed manufactures; our other various accessions; our rapid growth; and that your own army may be wasted by desertions. The project that the standing force adequate to the design (not of a quick conquest, but) of maintaining the law against a general, wide-spreading disaffection, while it flatters our hope, will, if it falls from its fidelity, endanger an American independency, and provoke your natural enemies in Europe to lift up a successful arm against you: all inspire a confidence that Britain will be too wise, after all, to venture upon a measure that will quicken her own downfall.

By these views our people are emboldened; add to this, they are all united—every man inspires his neighbour, and colonies echo to colonies, we are Englishmen, and will be free.

At the late congress in this place, they came unanimously to a set of *resolves*, of which the several deputies took copies, that their representations and conduct may have a perfect harmony.

As I do not approve of the violences of my countrymen, so neither could I agree with their wise men, either in the principles they go upon, or the manner of giving success to their claims.

The congress was appointed for the first of October; opened a few days afterwards, and closed on the 25th of the same month; The members were, in general, men of warm passions; an impatience to get home, and the pride of the draftsmen, against which I forewarned several of them, had also a very ill effect on their transactions; all the conduits of information had not emptied upon them before they began to write, nor indeed, before they broke up; and their compositions therefore carry evident marks of hurry and imperfection.

What they wrote is contained in *fourteen resolves*, a petition to the King, another to the Commons, and a memorial to the Lords.—But, why a memorial?—That I cannot say. I mentioned it to one of the members, and thought he was surprised at the observation. So it remained when they broke up.

The resolves profess allegiance to the crown, and* all *due subordination* to the two houses of parliament; declare that we are entitled to all the rights of subjects born within the realm: that it is essential to the freedom of a people, to be taxed only with their own consent; that the colonies neither are, nor can, from local circumstances, be represented in the British House of Commons: that their only representatives are in their colony legislatures; and, except by them, no taxes have been, or can be, constitutionally imposed upon them. That supplies being *gifts*, the Commons of Great Britain cannot *constitutionally* grant away our property. The trials by jury are the rights of the subject.—That the stamp act, and other acts of trade, tend to subvert that right. That the duties lately imposed are grievances, and the payment impracticable.—That the profits of our commerce center in Great Britain; and we, therefore, contribute largely to all supplies.—That the present parliamentary restrictions prevent us from purchasing the manufactures of Great Britain.—That the prosperity of the colonies depends on the enjoyment of their rights, and a mutual beneficial intercourse with the mother-country. — That it is the subjects' right to petition Kings, Lords, and Commons, and *our* duty, by a loyal and dutiful address to the King, and humble application to both houses, to procure a repeal of the stamp act and others, restricting trade, and extending the admiralty jurisdictions. I give the substance.

* They would not be persuaded to a full recognition of the authority of parliament.

You may, hence, collect the scope of the petitions, and will soon see them at full length. The acts of the congress conclude, recommending it to the colonies to solicit their cause by special agents from each.

What say you to the American Parliament, *only to meddle with supplies*, composed of deputies from each colony; a council during good behaviour; and a lord-lieutenant at pleasure. Great Britain to ride mistress of life, liberty, and commerce, and so to retain all the power she can desire (leaving us a reasonable security), a power necessary for supreme direction.

This, 'tis true, is a novelty, but more in the form than substance; and when a new adventitious state arises, why not adopt new principles? Time alters both laws and constitutions of countries—we came out from you freemen—a forfeiture we did not incur—we had the royal licence to emigrate, and there is a merit besides, in extending the trade and dominion, and increasing the number of your subjects—so your King thought; why then these little distinctions begot and fostered by the crown? This numerous partition of provinces seems now to render the machine of empire too complex—whose fault is that? But 'tis a fault—agreed—provide then a new model correspondent to this new state—if the ancient constitution did not foresee this wide dispersion of its subjects, nor consequently make an equal and suitable provision for their government, let it be confessed on both sides that *so it is*, and a proper one be contrived, in which the millions abroad that are collecting honey for the hive at home, and those who never came out for it, may both be safe. Don't startle at a parliament in America—you have got two in Europe—have made above twenty abroad—we consent that they may be *consolidated* into one. Nay! but we are jealous of you, divided as you are, and have more to fear if your power is united. Strange embarrassments—and so, that your jealousies may be gratified, we must be slaves?—Depart from truth and right, and the wisest nations will be convicted of folly and injustice.—Let reason, undazzled by the glare of power, decide between us. If one sister asks the sole disposition of the estate of the other, can she be just? If the parliament of Great Britain admit our right of representation, and say we *virtually* have it, though we don't send a member; what is this but playing the fool and flying to the old constitution for a covering too narrow to conceal them from nakedness? Again, suppose some ground for your jealousies. Of two evils prefer the least. In attempting to enslave us, you may fall yourselves. That your power will, one day, walk over the Atlantic, 'tis certain; your colonies will exhaust you. A thousand motives excite your people to come